

KELVIN J. COCHRAN vs. CITY OF ATLANTA, ET AL.
Mayor Kasim Reed on 02/14/2017

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

KELVIN J. COCHRAN,)	ORIGINAL
)	
Plaintiff,)	
)	CIVIL ACTION FILE
vs.)	
)	NO. 1:15-cv-00477-LMM
CITY OF ATLANTA, GEORGIA;)	
and MAYOR KASIM REED, IN)	
HIS INDIVIDUAL CAPACITY,)	
)	
Defendants.)	

- - -

VIDEOTAPED DEPOSITION OF
MAYOR KASIM REED

FEBRUARY 14, 2017
9:35 A.M.

BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ, P.C.
MONARCH PLAZA, SUITE 1600
3414 PEACHTREE ROAD, N.E.
ATLANTA, GEORGIA

(TRANSCRIPT CONTAINS CONFIDENTIAL PORTIONS)
PAGE 10, LINE 4 TO PAGE 10, LINE 7
PAGE 31, LINE 4 TO PAGE 39, LINE 5
PAGE 110, LINE 4 TO PAGE 114, LINE 22

Reported by: Suzanne Beasley, RPR
CCR-B-1184

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16 Also Present: Kelvin J. Cochran

17 Videographer: Brandon Brantley

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1 THE VIDEOGRAPHER: This is the
2 beginning of Media Number 1 in the
3 deposition of Kasim Reed in the matter of
4 Kelvin Cochran versus City of Atlanta,
5 et al.

6 Today's date is February 14th, 2017.
7 The time on the monitor is 9:35 a.m. My
8 name is Brandon Brantley. I'm the
9 videographer. The court reporter is
10 Suzanne Beasley. We are here with
11 Huseby Global Litigation.

12 Counsel, please introduce yourselves,
13 after which the court reporter will swear
14 in the witness.

15 MR. GEVERTZ: David Gevertz and
16 Ms. Kathy Hampton and Ms. Jarrells, and at
17 some point Kathryn Hinton, on behalf of the
18 Defendants.

19 MR. THERIOT: Kevin Theriot,
20 Dave Cortman, Jeana Hallock, Ken Connelly,
21 and Rory Gray and Christiana Holcomb and
22 Vernadette Broyles on behalf of the
23 Plaintiff.

24 (The signature of the witness to the
25 deposition was reserved.)

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1 MAYOR KASIM REED,
2 having been duly sworn, was examined and testified
3 as follows:

4 EXAMINATION

5 BY MR. THERIOT:

6 Q. Good morning, Mayor.

7 A. Good morning.

8 Q. Please state your full name for the
9 record.

10 A. My name is Mohammed Kasim Reed.

11 Q. Any -- ever have any aliases?

12 A. No, no aliases.

13 Q. You're an attorney; is that correct?

14 A. I am.

15 Q. Do you need me to go through the spiel
16 about depositions?

17 A. Please, go through the spiel.

18 Q. All right. Don't want to bore you, but --

19 A. I don't want these six lawyers to go to
20 waste.

21 Q. This deposition is going to be taken under
22 oath. Everything will be written down and it will be
23 used before the court, before the jury, if we get to
24 trial, and it will be just like testifying in front
25 of the court, so just keep that in mind.

1 In general, I will be asking you questions
2 and we'll do -- we just need to do our best not to
3 talk over one another so it makes it easier for the
4 court reporter to take down what's said. And then,
5 of course, the record is clearer if we're -- if
6 you're waiting until I finish the question and I wait
7 until you finish your answer. It's a two-way thing.
8 Unfortunately, the usual -- the conversation that we
9 have on the street doesn't work real well in
10 depositions, so if you would just keep that in mind.

11 If you need to take a break, you're
12 certainly welcome to take one at any time. I just
13 ask that you would -- if a question is pending, that
14 you would answer the question before taking a break.

15 And then, of course, this isn't a
16 situation where you're allowed to consult with your
17 lawyer before answering the question. It's not
18 like -- I like the analogy he used. It's not like
19 testimony in the legislature, which they seem to do a
20 lot. So any questions about that?

21 A. No.

22 Q. Is there any reason why you can't testify
23 truthfully this morning?

24 A. No.

25 Q. On any kind of medication or anything else

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1 that would affect your ability to think and answer?

2 MR. GEVERTZ: And, Madam court
3 reporter, we'll reserve the right to read
4 and sign the transcript.

5

- - -

6 (Whereupon, testimony ensues that has
7 been designated confidential.)

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(Whereupon, the following testimony
has been designated as confidential.)

- - -

BY MR. THERIOT:

Q. What is your current address?

A. [REDACTED]

[REDACTED]

- - -

(Whereupon the testimony is no longer
designated confidential.)

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1 MR. GEVERTZ: And at several times
2 today, or after the transcript is put up,
3 I'll designate portions of the transcript
4 as confidential. That's an obvious early
5 on. But I don't mean to interrupt. I may
6 not catch all of them.

7 MR. THERIOT: Right, right.

8 BY MR. THERIOT:

9 Q. How long have you lived at that address?

10 A. Eight years, eight to nine years.

11 Q. Where did you live previously? You don't
12 have to give me the address, but just the town.

13 A. 1755 Loch Lomond Trail.

14 Q. Okay.

15 A. Less than two miles from my current
16 address.

17 Q. So you've grown up and lived in Atlanta?

18 A. Spent my life in Atlanta.

19 Q. How long have -- you have been in Atlanta
20 all your life or did you have -- were you away a
21 couple of years and came back?

22 A. Not when I wasn't a baby. I mean, I was
23 in Atlanta -- I have been in Atlanta from the time
24 that my family moved us here when I was either two or
25 three years old, I'd have to talk to my dad about the

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1 exact date, and lived in Loch Lomond, Loch Lomond
2 Trail, and then bought my house from my folks.

3 The only time I have been out of Atlanta
4 has been when I was at Howard University for
5 undergraduate school and law school.

6 Q. Okay.

7 A. But aside from the period that I've been
8 in Washington, I was living in Atlanta.

9 Q. Where is Howard University?

10 A. Howard University is in Washington, D.C.

11 Q. Oh, okay. All right. And you're how old?

12 A. I am 47.

13 Q. And you're married?

14 A. I am.

15 Q. What level of education have you
16 completed? Is it just law school -- I mean, not
17 "just" law, but law school?

18 A. Just law school.

19 Q. Just law school. Like the rest of us,
20 just law school. And we're still practicing.

21 And have you reviewed any documents in
22 preparation for this deposition?

23 A. Yes. My counsel prepared a deposition
24 book and I reviewed the book and the exhibits.

25 Q. Any other documents other than what

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1 counsel prepared for you?

2 A. No, just my deposition book.

3 Q. Have you spoken to anyone about the
4 deposition besides your counsel?

5 A. No. Aside from David and Cathy and the
6 lawyers that are here today, no.

7 Q. Have you been deposed before?

8 A. The answer is no, I haven't been deposed.
9 Kathy?

10 Excuse me. No, I don't think I have.

11 Q. Any -- been involved in any lawsuits
12 before?

13 A. Not as a defendant.

14 Q. As a plaintiff?

15 A. I don't believe so. Outside of my
16 official capacity, so as Mayor of the City of
17 Atlanta, I'm sued regularly. I'm only speaking about
18 as an individual.

19 Q. Okay.

20 A. But as a plaintiff and as a defendant as
21 mayor, not in my private life.

22 Q. Okay. All right. So let's talk a little
23 bit about as mayor in your official capacity.

24 A. Okay. Sure.

25 Q. Have you ever been sued for any claims of

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1 discrimination in your official capacity as mayor?

2 A. I am almost certain we have.

3 Q. Okay. Religious discrimination?

4 A. I'm not aware of religious discrimination
5 cases, but we may have.

6 Q. How about violation of freedom of speech?

7 A. Not that I'm aware of, but we may have.

8 Q. Ever been sued before for violation of due
9 process rights?

10 A. No, not that I'm aware of. And so the
11 reason I'm answering that way is because, as I said,
12 as mayor we're sued on a regular basis.

13 Q. Right.

14 A. So I don't want to misstate. As a
15 personal -- as private citizen, never.

16 Q. Okay. And who would know the answer to
17 the kind of cases that you've been sued in an
18 official capacity?

19 A. The city attorney's office.

20 Q. Okay. There was a claim at one time that
21 I don't know much about involving a police department
22 raid on a gay bar. Are you familiar with that?

23 A. I'm familiar with it.

24 Q. Can you let me know the circumstances of
25 that situation?

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1 A. The circumstances were that the police
2 entered into a facility that was frequented by gays
3 and lesbians, bisexual and transgender individuals,
4 and there were a number of claims that came out of
5 it. That's about the extent of my knowledge of it.

6 Q. Was there a claim of discrimination based
7 on sexual orientation or --

8 A. I don't recall the specific allegations
9 that came out. I think you're referring to the Eagle
10 raid.

11 Q. I think so.

12 A. And that would be the one that I'm aware
13 of. I don't recall the specific claims, but that was
14 something that happened prior to my time as being
15 mayor. And my role in it really was dealing with the
16 aftereffects of it and litigating the case through
17 the city attorney's office.

18 Q. So your -- your position with the City of
19 Atlanta is the mayor; that's correct?

20 A. I am.

21 Q. Have you -- how do you describe your job
22 description? Strike that.

23 How would you -- how would you articulate
24 your job description as the mayor of the City of
25 Atlanta?

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1 A. I am responsible for the day-to-day
2 operations of the City of Atlanta and for
3 representing all of the citizens of the City of
4 Atlanta to the greatest extent of my ability.

5 Q. Which -- you speak for Atlanta on certain
6 policies and certain operations?

7 A. I think I speak for Atlanta -- I think
8 that I speak for Atlanta with the primary voice for
9 the city.

10 Q. Do you speak for Atlanta regarding
11 enforcement of its policies, like the Code of Ethics?

12 A. I do.

13 Q. And is -- is the position of mayor the
14 only position -- or the only position you've occupied
15 as an employee of Atlanta?

16 A. The answer is yes.

17 Q. What job did you hold immediately previous
18 to becoming mayor?

19 A. I was a partner at a law firm called
20 Holland & Knight and I was a Georgia state senator.

21 Q. What kind of law did you practice at
22 Holland & Knight?

23 A. I was in the litigation group at
24 Holland & Knight.

25 Q. Any primary area of litigation?

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1 A. I spent a significant amount of time in
2 the entertainment space and in employment matters.

3 Q. Defense or plaintiff or a little of both?

4 A. Primarily transactional, certainly in the
5 entertainment space. I handled a number of complex
6 transactions involving the entertainment business,
7 but I was housed in the litigation group.

8 Q. Are you considered a policymaker for the
9 City of Atlanta?

10 A. I think that would be correct.

11 Q. And are you a final policymaker?

12 A. I don't know if "final policymaker" is
13 accurate. I think that within the executive branch I
14 am.

15 Q. Okay. And -- and --

16 A. We have different branches. We have a
17 judicial branch, we have a legislative branch, and
18 then we have the office of mayor, which are the
19 executive operations, so I think it would be -- I
20 think it would be more accurate to say that I'm
21 primarily responsible for the executive branch.

22 Q. Okay. So let's talk a little bit about
23 the executive branch and what that encompasses. I
24 know it's large, so I don't want to get into
25 everything about that. But who are the people that

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1 are your direct reports? Does that make sense?

2 A. Uh-huh, sure. Our commissioners -- well,
3 in terms of who are my direct reports, my direct
4 reports are the city attorney and the chief financial
5 officer.

6 Q. Okay.

7 A. So they're direct reports to me.

8 Q. Okay.

9 A. The chief operating officer also reports
10 to me.

11 Q. Okay.

12 A. And the chief of staff reports to me.
13 Beyond those, those -- those are the direct reports.

14 Q. The direct --

15 A. Then I have a group of commissioners --

16 Q. Okay.

17 A. -- and deputy commissioners. And
18 commissioners would be similar to a cabinet.

19 Q. Okay.

20 A. And so the cabinet is the people that
21 operate the major departments of the city.

22 Q. Okay.

23 A. So the general manager of public works
24 would be a cabinet member or a commissioner of public
25 works. The commissioner of human resources, the

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1 commissioner of our police department, the
2 commissioner of our corrections department, the
3 commissioner of our fire department, the commissioner
4 of our airport would make up the municipal equivalent
5 of a cabinet.

6 Q. Okay. And -- and those are -- those are
7 direct reports or do they go through the city
8 attorney or the CFO or the COO?

9 A. They are not direct reports. They report
10 up through the four individuals I listed.

11 Q. Okay.

12 A. And so the CFO and the city attorney are
13 actually dual reports, so they report to me and to
14 the council. And so those are the four individuals
15 that report up to me.

16 Q. Okay. And the people that are
17 commissioners, which would have been -- Chief Cochran
18 held one of the positions as commissioner of the fire
19 department.

20 A. That's accurate.

21 Q. Okay. And how did -- how are those people
22 appointed?

23 A. They were appointed by me and approved by
24 the city council.

25 Q. And when they want to speak with you or

1 interact with you, what's the -- what's the primary
2 way that they do that?

3 A. They would do that through the chief
4 operating officer, who -- who is the individual that
5 they report to, or our chief of staff.

6 Q. Okay.

7 A. But primarily the COO.

8 And then on a weekly basis, on Monday
9 mornings at 8:00 a.m., we have cabinet meetings. And
10 we've been having cabinet meetings during my time as
11 mayor, so for seven years. So those are really the
12 opportunities, on Monday from 8:00 to 9:00 or 9:30,
13 depending on the agenda.

14 We have cabinet report-outs, and so there
15 is time, if folks need to have a conversation with me
16 directly, that they can make the request at that
17 time. Otherwise, I don't really interact with them.

18 Q. Okay. Not any e-mails from commissioners
19 or texts or phone calls on a regular basis?

20 A. Very rarely.

21 Q. So if they want to get in touch with you,
22 as I understand it, they would contact the COO or the
23 CFO?

24 A. That's correct. And some of my -- some
25 members of my senior team have communicated with me

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1 through text messages, but in a very limited fashion.

2 Q. And by "senior team," that would include
3 the commissioners?

4 A. Include the -- uh-huh.

5 Q. Okay. The -- one thing I forgot to
6 mention was the uh-huh and huh-uhs, if you can avoid
7 those and say yes or no.

8 A. Okay. That's fine.

9 Q. But everybody does it, so -- as you're
10 well aware.

11 Lilly Cunningham, is -- what's her role in
12 your administration?

13 A. She's my executive assistant.

14 Q. Okay. And what's her job description?

15 A. Her job includes managing my calendar.

16 Q. Okay. And takes phone calls for you?

17 A. She does.

18 Q. Okay. When she manages your calendar,
19 that includes all your professional appointments as
20 mayor, correct?

21 A. The answer is no. I have a scheduling
22 team of four individuals.

23 Q. Oh, really?

24 A. Uh-huh.

25 Q. All right. So how does that work?

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1 A. Different -- I receive about 400 requests
2 a month as mayor for public appearances. I can't
3 count the amount of calls that come into the office.
4 And that work is distributed among Lilly Cunningham,
5 a woman named Karla Johnson, a woman named Tanisha
6 and a woman named Cheryl Pe.

7 Q. Okay. When you have -- when they're
8 scheduling things for you, they have to take into
9 account your personal responsibilities, like, for
10 instance, officiating a wedding, that kind of thing?

11 A. The answer is yes.

12 Q. All right. And that was a little bit of
13 an assumption there. I assume officiating a wedding
14 is something you do in your personal capacity and not
15 as mayor?

16 A. The answer is, I have the ability to do
17 that, but I have only actually participated in a
18 wedding on one occasion, and that was for a Jewish
19 couple that was renewing their 25-year vows.

20 Q. Okay.

21 A. So it's not something I do frequently.

22 Q. Okay. But part of her responsibility and
23 the responsibility of the others you mentioned is to
24 make sure that the professional things that you do
25 don't interfere with your private life; is that

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1 right?

2 A. I think that's -- well, I think that they
3 have to consider everything that's going on and have
4 a global view of what's going on.

5 Q. Right.

6 A. So I don't know if your clarification
7 would be accurate.

8 Q. So when you -- well, let me say it this
9 way. When you have a private event that you're going
10 to, a party with your family that's not related to
11 your mayor, that would show up on your calendar to
12 make sure that it doesn't conflict with some of your
13 professional obligations, correct?

14 A. I don't know if it would show up on my
15 calendar, but they would definitely be the people
16 that communicate about it.

17 Q. Okay.

18 A. It may show up on my calendar; it may not.

19 Q. All right.

20 A. I can't answer the question precisely.

21 But the way that the office is set up is,
22 is the volume of requests is so high that you have to
23 have someone handle the requests and then to
24 communicate with the individuals or the organization
25 whether or not I can participate, and so a different

1 person focuses on a different function.

2 There's one person that's calling to say
3 yes, I will attend. That's one person. There are
4 also individuals that handle the occasions where I
5 can't participate. And it's a pretty complex
6 process, but it's been going on for some time.

7 Q. Does Ms. Cunningham ever field calls for
8 you from your family?

9 A. She does.

10 Q. What about e-mails? Do you ever receive
11 e-mails that might have come from your family or
12 somebody else in a personal capacity?

13 A. Not that I'm aware of, and if so, very
14 rarely.

15 Q. Okay. Texts, same question?

16 A. No, not that I'm aware of.

17 Q. All right. You have a -- a city-issued
18 cell phone, I assume?

19 A. I do.

20 Q. And do you have also a personal cell phone
21 that you use?

22 A. I do.

23 Q. Do you ever get any personal calls on your
24 city cell phone?

25 A. Personal calls on my city cell phone?

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1 Very rarely. My wife may call me on my city cell
2 phone, but very rarely.

3 Q. Okay.

4 A. I don't want to say absolutely never, but
5 very rarely.

6 Q. It does happen. And -- and texts also?

7 A. On my city-issued phone, almost never. I
8 won't say never because I'm in a deposition, but
9 almost never.

10 Q. What about e-mails to your city account?
11 Do you ever get -- does anybody ever send you e-mails
12 to your city e-mail account that are old friends or
13 personal-capacity types of e-mails?

14 A. Very rarely. I'm not a big user of
15 e-mails.

16 Q. But it does -- it does happen on occasion?

17 A. Very rarely.

18 Q. It does, but it's very rare. Is that
19 fair?

20 A. I think very rarely is the answer.

21 Q. Okay. But you're not saying it doesn't
22 happen?

23 A. I'm not saying it's never happened.

24 Q. Okay.

25 A. I'm saying very rarely.

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1 Q. At the -- what's the best way to describe
2 your direct reports in your cabinet, is that your
3 professional staff? You mentioned a term and I've
4 forgotten what it was. Your --

5 A. Senior team?

6 Q. Senior team. Yes.

7 So who makes the final decision on whether
8 to suspend or discharge somebody on your senior team?

9 A. It would -- it would be a collaborative
10 conversation. It would involve, first and foremost,
11 our human resources person, Yvonne Yancy, because
12 they would have information about the individual and
13 the circumstances regarding HR.

14 It would probably involve a consultation
15 with the city attorney's office, conversation with
16 the COO, and a conversation with my chief of staff.

17 Q. And that's -- how does that usually take
18 place? Is it in a meeting or does that happen via
19 e-mail or by phone?

20 A. No. It typically happens through a
21 communication from our head of HR that says that
22 there's an issue that we need to discuss. And so
23 that person, Yvonne Yancy, would come to my office.
24 We would assemble a group of individuals. We would
25 have a conversation about the situation, and then a

1 decision would be made. And I would be the leader of
2 a collaborative decision.

3 Q. Right. But as far as -- if everybody gets
4 together and gives their input, the final decision,
5 though, would be yours?

6 A. That's correct.

7 Q. One thing I neglected to do is, at the --
8 at the time period of 2014 to 2015 when the events of
9 this lawsuit took place, who were the people on your
10 senior team?

11 A. Well, my senior team includes me and my
12 cabinet. When I made that statement, I was referring
13 to the human resources commissioner, the city
14 attorney, the chief of staff and myself.

15 Q. That -- that's what you would call your --

16 A. My senior team is my cabinet and my four
17 direct reports.

18 Q. Okay. All right.

19 A. So when I'm using that language, I'm using
20 the language of the people that run the government.

21 Q. Okay. That makes sense.

22 So who was the city attorney?

23 A. The city attorney is Kathy Hampton.

24 Q. And still is?

25 A. It is.

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1 Q. All right. And the CFO during that time
2 period?

3 A. The CFO is Jim Beard.

4 Q. And he was the CFO during that time too?

5 A. Yes.

6 Q. And COO?

7 A. The CFO would be --

8 MR. GEVERTZ: COO.

9 BY MR. THERIOT:

10 Q. COO.

11 A. Oh, chief operating officer would be
12 Michael -- what's Mike's last name?

13 MR. GEVERTZ: Geisler.

14 THE WITNESS: Michael Geisler.

15 BY MR. THERIOT:

16 Q. All right. And chief of staff?

17 A. The chief of staff is Candace Byrd.

18 Q. So I -- I don't think I missed any of your
19 direct reports.

20 What about your commissioners?

21 A. Commissioner of human resources is
22 Yvonne Yancy.

23 Q. Okay. And police -- was the police
24 department one of them, chief of police?

25 A. Yes. Chief Shields.

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1 Q. Chief Shields.

2 MR. GEVERTZ: Well, you're asking
3 about at the time?

4 BY MR. THERIOT:

5 Q. Yes. I'm sorry, yes. At the time.

6 A. Oh, at the time it would have been
7 George Turner. I'm sorry.

8 Q. Thank you.

9 And then, of course, Chief Cochran was one
10 of those.

11 A. He was the chief of the fire department,
12 uh-huh.

13 Q. All right. So who am I missing from your
14 commissioners?

15 A. You're -- you're missing Richard Mendosa.

16 Q. Who -- what was his role?

17 A. He was -- he was the head of public works.

18 Q. Okay.

19 A. You're missing Miguel Southwell, who was
20 the commissioner of aviation. You're missing the
21 commissioner of water, a woman named Jo Ann Macrina.

22 It's a pretty lengthy list.

23 Q. Okay.

24 A. I'm not going to try to give it to you by
25 memory.

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1 Q. All right. Any other -- I was trying to
2 think if there are any other commissioners that
3 wouldn't be on there that you can think of right now.

4 A. What we'll do is provide you with a list
5 of commissioners that we had at the time.

6 Q. Okay. Okay. Who makes -- once you've
7 made the decision -- strike that.

8 We talked earlier about making a decision
9 regarding suspension or termination. Once that
10 decision is made through a collaborative effort,
11 final decision by you, is there any appeal that's
12 available of that decision?

13 A. Typically not.

14 Q. You say "typically." Are there situations
15 you can think of where there might be an appeal?

16 A. No.

17

18 (Whereupon, testimony ensues that has
19 been designated confidential.)

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1 (Whereupon, the following testimony
2 has been designated as confidential.)

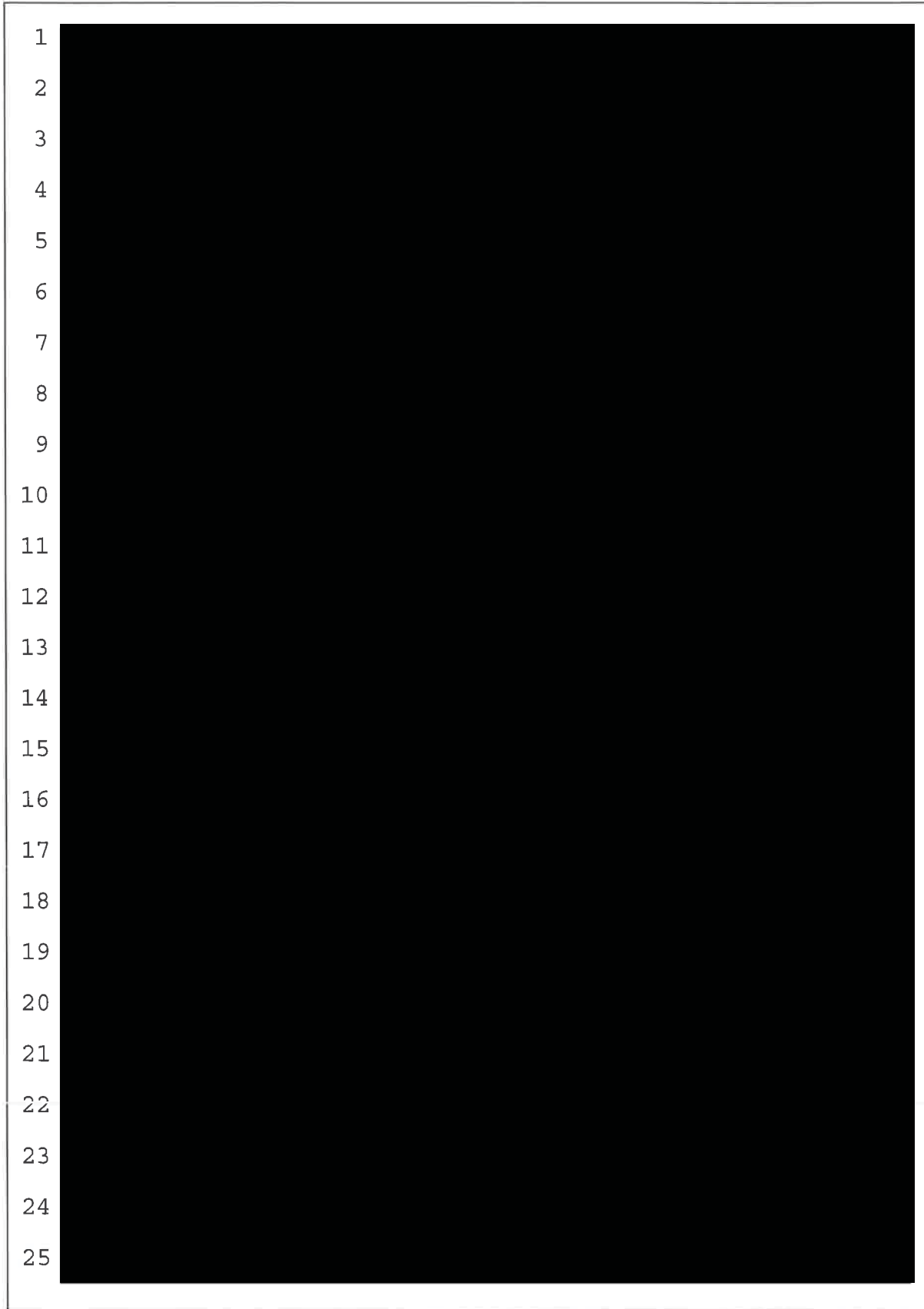
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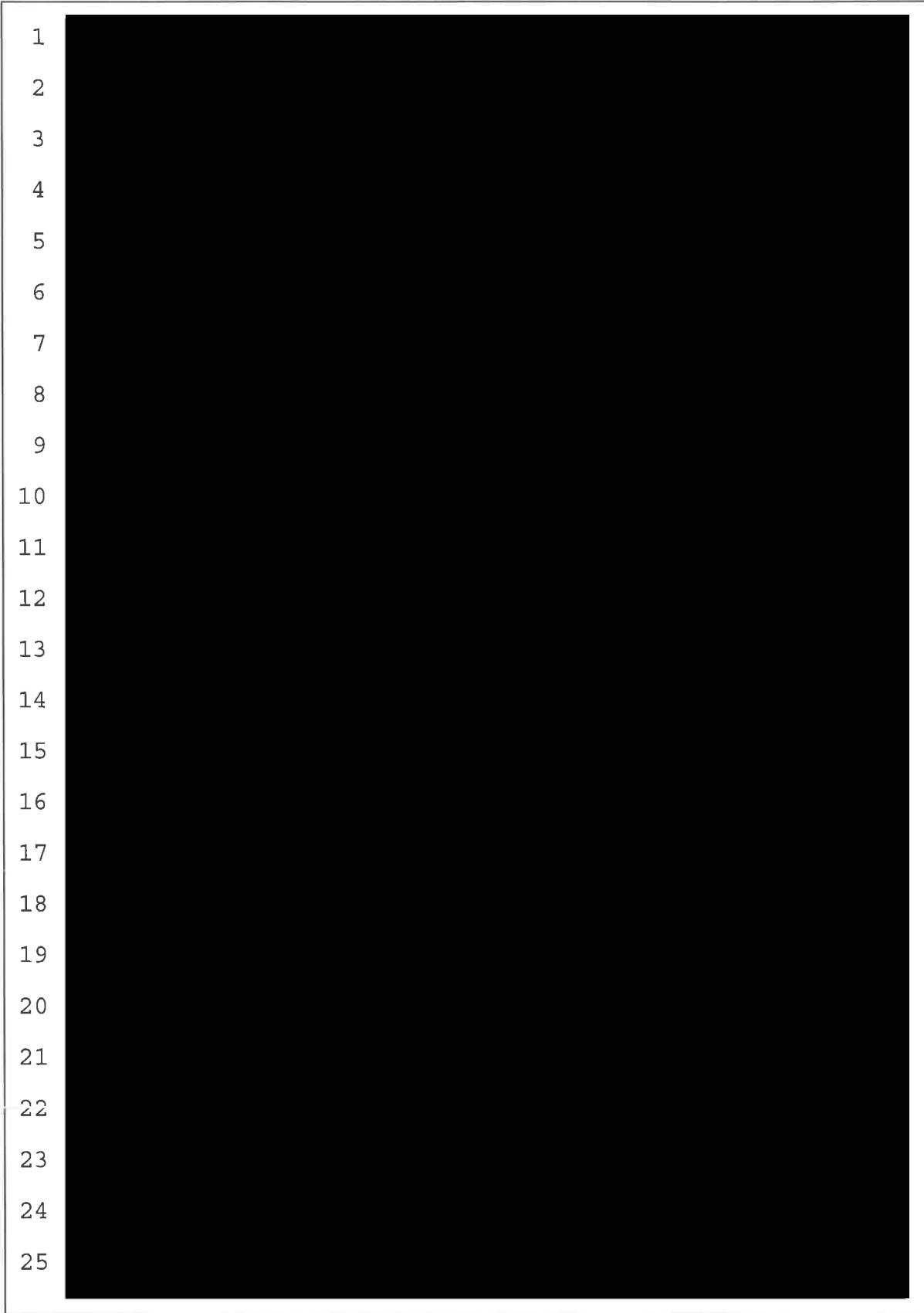


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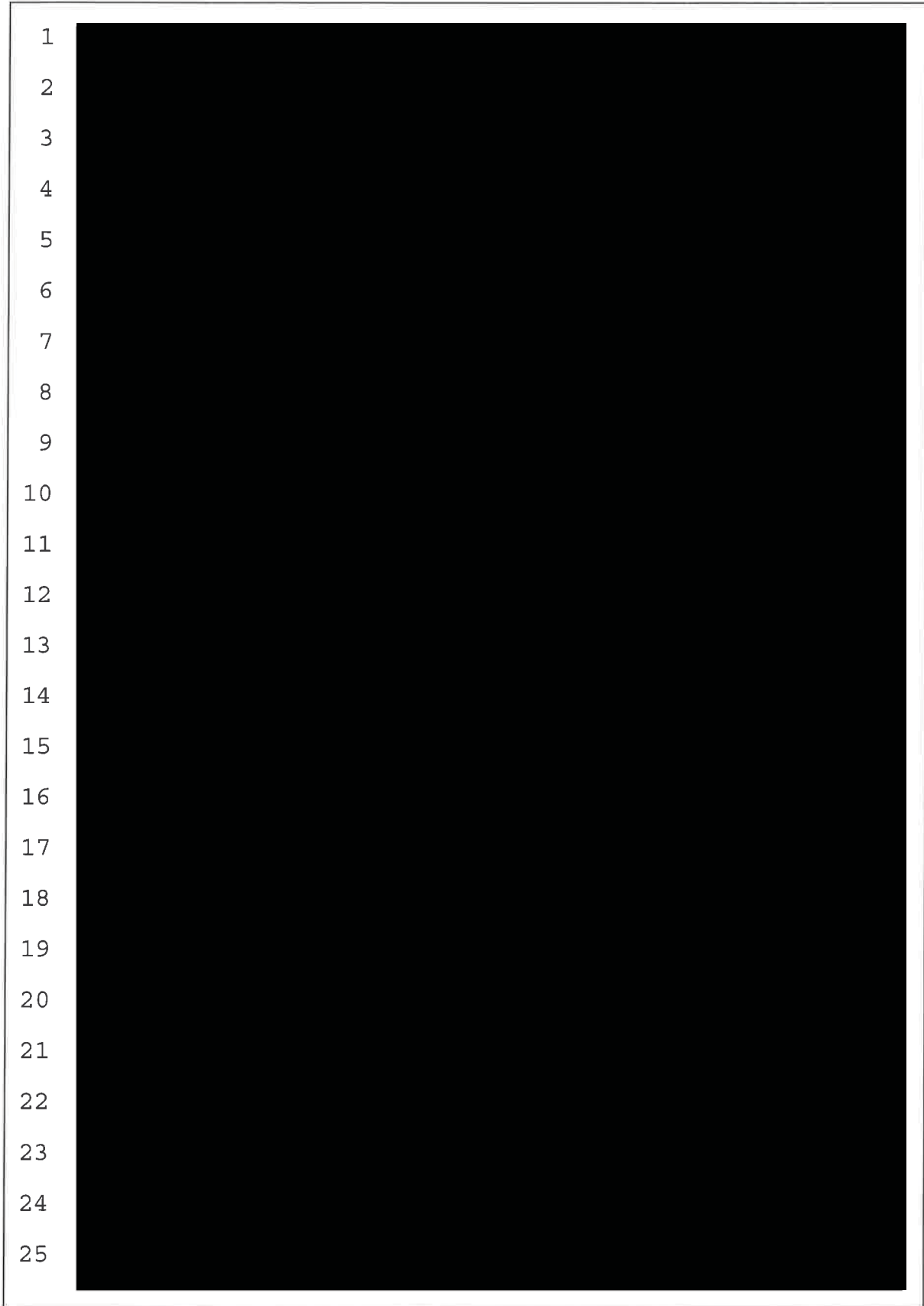


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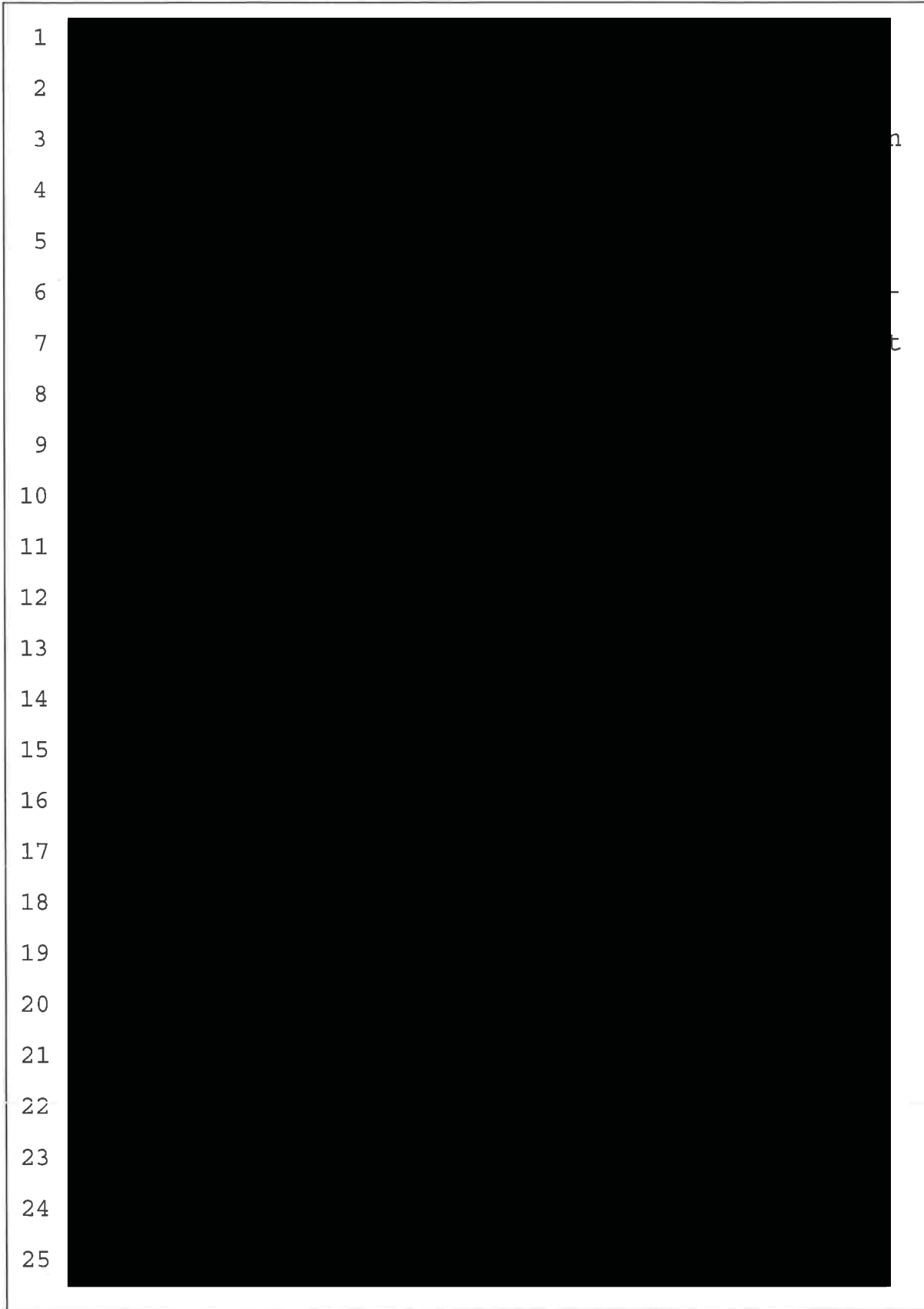
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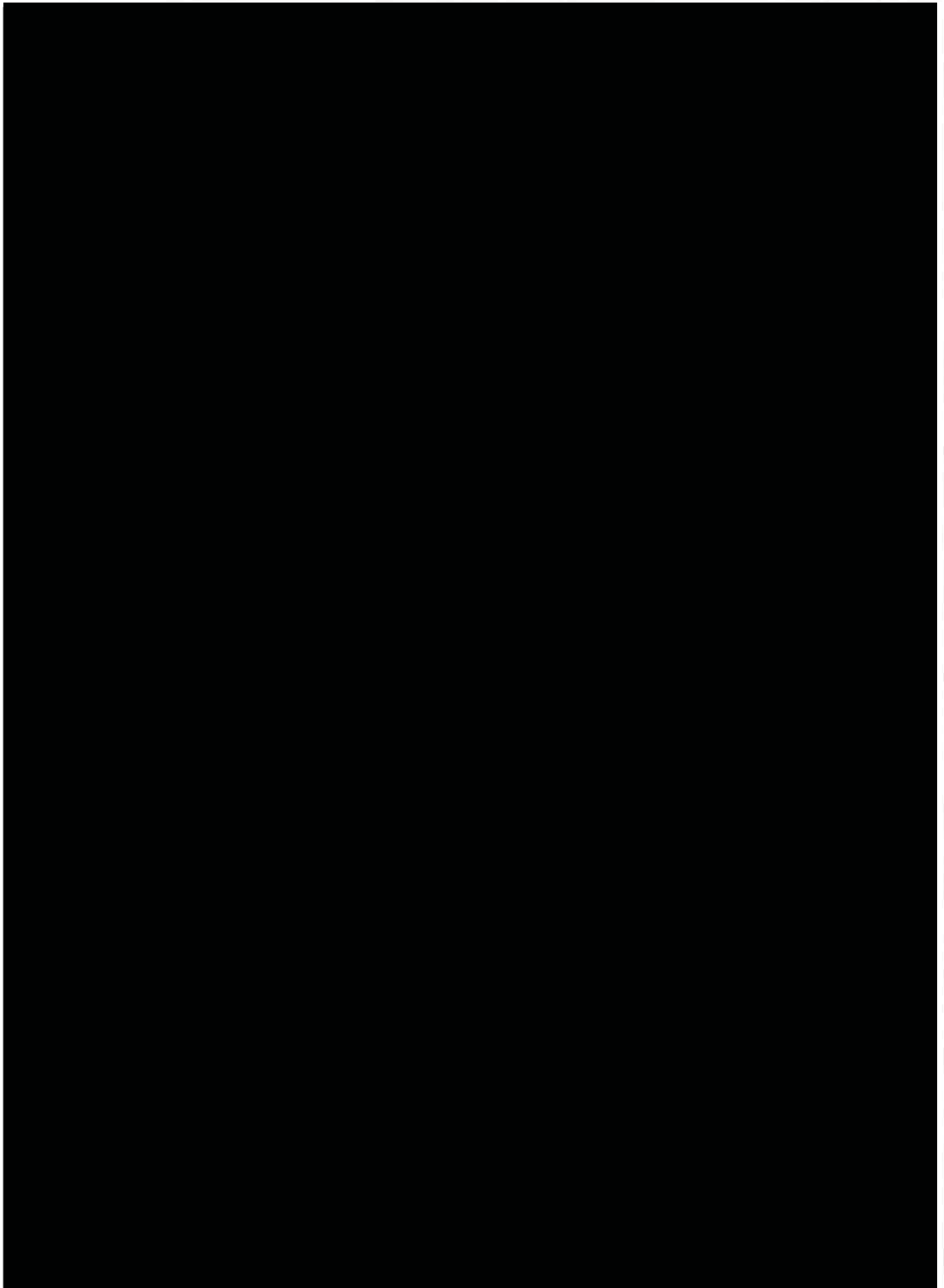


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24 Q. Is -- who would know that information?

25 A. It would be in the human resources office.

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1 Q. Is there anything that would refresh your
2 memory today?

3 A. No.

4 Q. Were -- did any of those people that we've
5 spoken about that you either suspended or terminated,
6 did any of them try to appeal that decision in any
7 way?

8 A. Not that I'm aware of.

9 I mean, it's important when you make
10 statements like "appeal the decision," that all the
11 individuals that we're having a conversation work at
12 the pleasure of the mayor and are all at-will
13 employees.

14 Q. Okay.

15 A. So to constantly say "appeal," it's not
16 really the way that the structure is set up for our
17 cabinet members. For other members who work in city
18 government, there actually is an appeal process, but
19 not for cabinet members. And we have not had
20 employment agreements with our cabinet or with our
21 senior team.

22 Q. Now, we've been talking about the senior
23 team. Have there been any other individuals during
24 your term of mayor where you were involved in their
25 suspension or termination?

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1 A. Not that comes to mind.

2 Q. Is -- the people who might know that
3 information would be at the human resources
4 department?

5 A. That's correct.

6 - - -

7 (Whereupon, the testimony is no
8 longer designated confidential.)

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1 BY MR. THERIOT:

2 Q. Does the City of Atlanta have an insurance
3 policy that's covering the defense of this case?

4 A. Not that I'm aware of.

5 Q. Who would know that, if -- if there is
6 one?

7 A. The city attorney and the human resources
8 department.

9 Q. Who is responsible for enforcing the Code
10 of Ethics?

11 A. The ethics officer for the City of Atlanta
12 and the ethics board.

13 Q. Do you have any involvement at all in
14 making sure that the City of Atlanta Code of Ethics
15 is complied with?

16 A. From an enforcement perspective, I think
17 that our office would be involved.

18 Q. How is your office involved?

19 A. Well, the ethics opinion -- the ethics
20 officer renders opinions. And then once they render
21 opinions or make decisions, then our office would
22 execute on their opinions or decisions.

23 Q. Are you talking the ethics officer makes
24 opinions and decisions or the ethics board?

25 A. I believe it's a combination of both.

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1 Q. Okay. How are those opinions rendered?
2 Is it usually in writing?

3 A. Well, the ethics office, I think, is
4 independent, first and foremost. That's why it has
5 its own board.

6 But typically there are two forms of
7 communication: There is -- there is a communication
8 with the ethics office by telephone or interacting
9 with employees for advice. But, in my judgment, in
10 order for it to be an official decision, you would
11 get an opinion in writing.

12 Q. Okay. So tell me about the first way.
13 Who -- how is that -- you can ask the ethics officer
14 for an opinion by telephone, is that what you're
15 saying?

16 A. I'm not going to advise you on that. What
17 I know is, is that you can interact with them and get
18 advice from them. I haven't ever done it before.

19 Q. Okay.

20 A. But I know that for it to be valid, you
21 would want to get an opinion letter or have the
22 ethics board act.

23 I'm not going to speak on how it operates
24 because I intentionally don't get into the bowels of
25 how the ethics office operates because that would

1 reflect upon its independence.

2 So really what we do, is our involvement
3 with the ethics office is to -- is to make sure it's
4 independent when they make a decision after they make
5 an investigation. It would be up to the executive
6 branch to act if they made a decision on a particular
7 issue.

8 Q. Okay.

9 A. So if they investigated an employee, came
10 to some conclusion, and then the ethics board
11 rendered a judgment, at that point my office may
12 interact and make a decision that that employee
13 should be suspended or terminated. So that's the
14 nexus.

15 Q. Okay.

16 A. But to sit and describe to you how the
17 ethics board operates, I think you would need to -- I
18 think you would need to depose the ethics chief.

19 Q. Okay. Now, when you make the decision
20 about -- when a -- strike that.

21 When the ethics board or the ethics
22 officer has rendered an opinion, as you have
23 described, and the executive branch has to decide
24 what to do with that, whether to take some action on
25 it, how do you make that decision?

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1 A. Through an investigation.

2 Q. Okay. That investigation is usually
3 undertaken by the department of human resources or
4 how is that done?

5 A. The ethics board and the ethics officer
6 can conduct an investigation and human resources can
7 conduct an investigation. And in some instances, the
8 city attorney's office conducts an investigation.

9 So there are really three -- three
10 entities that I'm aware of that conduct
11 investigations in the City of Atlanta: One would be
12 the office of ethics. One would be human resources.
13 And one would be the city attorney, or some
14 collaboration between the city attorney and human
15 resources.

16 Q. Once the -- for instance, if the ethics
17 officer or the Board of Ethics conducts an
18 investigation, would you conduct your own
19 investigation or have the executive department or a
20 member of your executive branch conduct an
21 investigation also?

22 A. That hasn't happened to my knowledge.

23 Q. Are there -- are you aware of any guidance
24 that helps employees understand what the Code of
25 Ethics covers and how its applied?

1 A. The guidance would be our ethics rules and
2 your interaction with the office of ethics.

3 Q. Okay. But no other written rules or
4 guidelines that you're aware of?

5 A. Not that I'm aware of.

6 Q. Have you had an individual who has -- that
7 the ethics board or ethics officer has investigated,
8 rendered an opinion where you've had to take some
9 action as the executive branch on their behalf -- I'm
10 sorry, in furtherance of that order?

11 A. Not that I'm aware of, but there are
12 multiple levels of administration and multiple
13 decision-makers that can make employment decisions.
14 So has an ethics opinion come out of the ethics
15 department and reached a decision for me to make? I
16 don't recall that.

17 Q. Okay. And you would only probably make
18 a -- that was a terrible question.

19 You would only make a decision -- have to
20 make a decision for the people on your senior -- on
21 your senior team; is that right?

22 A. That's not -- I mean, I don't think that
23 that's right. I think that it would depend upon what
24 occurred.

25 Q. So there may be some other instances of

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1 people within the executive branch that you might
2 have to be involved in to decide what kind of
3 discipline would be meted out if the -- if a decision
4 is rendered by the ethics board, the ethics officer?

5 A. So once again, this -- this isn't a
6 situation where I have to make a decision or I
7 decide, but there are situations where they impact
8 the city in a public manner and that individual might
9 have to be separated, but it typically would be that
10 individual's department leader and not me.

11 Q. Okay.

12 A. I was just trying to give you a full view
13 of my job.

14 Q. Did you approve the appointment of
15 Nina Hickson?

16 A. No. Nina Hickson was authorized by the
17 ethics board.

18 Q. And --

19 A. And voted -- she was voted for by the city
20 council. I think I recommended Nina Hickson for the
21 ethics officer position. I may have done that.

22 Q. Okay.

23 A. But that position is -- that
24 recommendation is made by the board. So an
25 independent ethics board identifies a candidate and

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1 then contacts me regarding that candidate.

2 So to say that I selected her would be
3 inaccurate. The ethics board independently selected
4 Nina Hickson, and then says, Mayor, this is the
5 person that we would like to be appointed. That
6 person's name is then sent to council and then
7 council can either approve them or reject them. And
8 then after that time, they begin to serve as the
9 ethics officer.

10 Q. So do you have any input into that process
11 at all?

12 A. Very little.

13 Q. Did you give your opinion of Nina Hickson
14 when she was appointed?

15 A. I took the recommendation of the
16 committee.

17 Q. Okay. Was there any reason that you did
18 that other than their recommendation?

19 A. No. I appointed her because I had known
20 her to be a person of good reputation. I thought she
21 could do a good job.

22 Q. Okay. How did you know her to be a person
23 of good reputation?

24 A. Because I live in the City of Atlanta and
25 know people who have interacted with her and they had

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1 a favorable opinion of her. And she generally had a
2 good reputation in the city.

3 Q. As an attorney?

4 A. As an attorney and as a member of the
5 community.

6 Q. Any other qualifications that she had that
7 prompted you to agree with her appointment?

8 A. Once again, we work very hard to make sure
9 that the office of ethics and the board is
10 independent, and so I thought that the best thing to
11 do was to take a recommendation of the board.

12 Q. I believe -- correct me if I'm wrong, but
13 I believe you testified earlier you've never asked
14 the ethics officer for an opinion regarding
15 application of the ethics code; is that correct?

16 A. Not that I recall.

17 Q. Have you -- but the ethics code not only
18 applies to your employees, it also applies to you,
19 right?

20 A. It does.

21 Q. When were -- when are your employees
22 typically made aware of the Code of Ethics?

23 A. At the time that they join my
24 administration or begin working for the city, much
25 the way that intake occurs for private employees.

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1 Q. And the same thing, I assume -- you
2 experienced the same thing with your -- when you were
3 employed and took the office of mayor?

4 A. And we also go through ethics training,
5 which I have gone through.

6 Q. So how did -- who goes through ethics
7 training?

8 A. My cabinet went through ethics training.
9 And I would have to get you an answer on everyone who
10 goes through ethics training.

11 Q. So by the "cabinet," you mean your senior
12 team?

13 A. Uh-huh.

14 Q. Okay.

15 A. And the people that run departments within
16 the City of Atlanta.

17 Q. Okay. How often does that occur?

18 A. I don't know the number. I would have to
19 get an answer for you. I don't know it off the top
20 of my head.

21 Q. But it does occur on occasion?

22 A. My belief is that it occurs.

23 Q. Okay. Does -- who conducts that training?

24 A. I would have to consult the city attorney.

25 Q. Did you undergo that training?

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1 A. I did.

2 Q. And who conducted when you were -- when
3 you underwent it?

4 A. The law department.

5 Q. Have you ever been involved in any
6 hearings or investigations that the Board of Ethics
7 conducted?

8 A. The answer is yes. When citizens file
9 ethics complaints or if an organization files an
10 ethics complaint against me, we have to respond, and
11 that's happened while I've been mayor.

12 Q. Okay. What kind of ethics complaints have
13 been filed against you?

14 A. A variety. I would have to go back and
15 pull the records. People file ethics complaints.
16 None of them has ever been successful.

17 Q. All right. And -- did any of those --

18 A. But any citizen can file an ethics
19 complaint.

20 Q. Okay.

21 A. And so what happens is, a citizen files an
22 ethics complaint with the ethics officer. And then I
23 have to respond to it.

24 And so over the seven years that I have
25 been mayor, that has happened before. And to give

1 you details on it, I would have to go back and check
2 the record because I really don't recall.

3 Q. Any --

4 A. What happens when ethics complaints come
5 in, is I typically call my attorney and send the
6 ethics complaint to my attorney. And then my
7 attorney handles the ethics complaint through
8 completion. And they would interact with me, ask me
9 whatever questions they want, get whatever
10 documentation that they need from me. And as a
11 result, I have never not prevailed in an ethics
12 hearing.

13 Q. Okay.

14 A. But I think it comes as a part of being in
15 the job I'm in.

16 Q. Have there -- has there ever been a
17 hearing conducted by the ethics board that you were
18 involved in?

19 A. I would have to check with my attorney. I
20 do not believe so, just so that --

21 Q. Okay. Yeah, I understand.

22 That you went down and testified on or
23 something like that?

24 A. Not that I recall.

25 Q. Okay. Have you ever disciplined anyone

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1 for violating the ethics code?

2 A. The answer is yes.

3 Q. All right. Who would that be?

4 A. Kelvin Cochran.

5 Q. Anyone else besides Kelvin Cochran?

6 A. Not that I recall at this moment.

7 Q. Have you heard -- are you aware of others
8 that you didn't discipline but that were disciplined
9 for violation of the ethics code?

10 A. Not that I'm aware of.

11 Q. Did the Board of Ethics ever investigate
12 Chief Cochran for writing his book?

13 A. I believe that they did.

14 Q. Did you -- did they issue a report
15 regarding that investigation?

16 A. I'm not aware of whether they issued a
17 report regarding that investigation.

18 Q. Did they ever let you know what their
19 conclusions were regarding that investigation?

20 A. No. What they did do was let me know that
21 Chief Cochran had not gotten authorization from them
22 in writing to write a book.

23 Q. Okay. Who from the ethics board
24 communicated that to you?

25 A. That was communicated through -- to me

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1 through human resources and Yvonne Yancy.

2 Q. Okay. So --

3 A. But I didn't speak with -- with Nina
4 Hickson or the ethics board directly.

5 Q. Okay. But Yvonne Yancy advised you that
6 the ethics board said that he did not get permission
7 to write a book?

8 A. That's correct. And there was also an
9 investigation conducted after his suspension.

10 Q. We're going to have to talk about that in
11 a little bit.

12 A. Okay. But you asked me to answer the
13 question, and I'm going to answer it.

14 Q. Sure. Absolutely. And I'll try not to
15 interrupt you when you're answering the questions.

16 A. Okay.

17 Q. The -- is it your understanding that --
18 that anyone who writes a book needs to get permission
19 from the ethics board in order to write a book?

20 A. It's my understanding that anyone who
21 writes a book that receives money for it needs to get
22 approval from the ethics board.

23 Q. Okay. Does it -- does it matter if
24 they're making any money on it or is it just if you
25 sell it for any amount of money even if you're losing

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1 money on it?

2 A. No. It actually does matter if you're
3 making money.

4 Q. Okay.

5 A. So if you go to the municipal code, if
6 you're going to earn money, you need to get an
7 opinion from the ethics officer and you certainly
8 need to have it in writing.

9 Q. Okay. And where does it say -- are you
10 aware of what regulation says that you have to have
11 it in writing?

12 MR. GEVERTZ: Object to the form.

13 THE WITNESS: The answer is no, I'm
14 not aware of that. But what I do know is,
15 is that in this instance, a decision was
16 made to write a book, to earn money from a
17 book, and it was not cleared by our ethics
18 board or our ethics officer in writing.

19 BY MR. THERIOT:

20 Q. Okay. But you're not aware of any
21 specific provision within the ethics code that says
22 that you have to get an opinion in writing regarding
23 writing a book?

24 MR. GEVERTZ: Object to the form.

25 THE WITNESS: I'm not aware of it.

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1 BY MR. THERIOT:

2 Q. Okay. If you don't make any money -- if
3 you were to write a book and did not sell it, would
4 you have to get an opinion from the ethics board?

5 A. I think it depends what the content of the
6 book was --

7 Q. Okay.

8 A. -- and the impact that the book would have
9 upon the administration. But the fact of the matter
10 is, is in this instance, no opinion was given from
11 the ethics board for a book that earned money.

12 Q. But even if it didn't earn money, if there
13 was a topic that it covered, that there still may
14 need to be a reason to get an opinion from the ethics
15 board?

16 A. Not that I'm aware of.

17 Q. When you said that it's important
18 for -- in order for the ethics code to apply, that
19 the -- that there actually be earning of money, if
20 they could show that there was no money earned, that
21 there was actually -- they spent more on the book
22 than they actually got from it, then would they need
23 to get permission from the ethics commissioner?

24 MR. GEVERTZ: Object to the form.

25 THE WITNESS: I mean, I'm not going

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1 to guess at that.

2 BY MR. THERIOT:

3 Q. Do you know whether they would need to or
4 not?

5 A. What I know is, is that if you author a
6 book and sell it, then you need an opinion from the
7 ethics officer.

8 Q. Okay. It doesn't matter whether you sell
9 it for a huge profit or not, you need an opinion from
10 the --

11 A. If you sell a book for a profit, to make
12 money, you need an opinion from the ethics officer in
13 writing.

14 MR. THERIOT: Can we mark this as
15 Plaintiff's Exhibit 1.

16 (Exhibit 1 was marked for
17 identification.)

18 THE WITNESS: Thank you.

19 BY MR. THERIOT:

20 Q. Mayor, I've handed you what's been marked
21 as Plaintiff's Exhibit 1. It's the City of Atlanta
22 Code of Ethics.

23 A. Uh-huh.

24 Q. If you'll look on -- at Section 2-820(d).

25 MR. GEVERTZ: 2-820?

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1 MR. THERIOT: Yes, 2-820. I kind of
2 put it all together, didn't I?

3 Section 2-820, "Incompatible
4 Interests."

5 THE WITNESS: Okay.

6 BY MR. THERIOT:

7 Q. Is that the provision that we've been
8 talking about?

9 A. I don't know. I saw another section that
10 I thought also applied.

11 Q. Okay. Are you aware what that section
12 might be?

13 A. The answer is, it's in the deposition book
14 that I reviewed prior to this deposition, and I'll be
15 happy to consult with my counsel because I think the
16 document's been produced.

17 Q. All right. But let's look at 2-820
18 subsection D.

19 A. Okay.

20 Q. Which -- yeah, I believe that's on the
21 page you're looking at.

22 A. Okay. No, you're correct. This is the
23 section.

24 Q. Okay.

25 A. It just was set up differently in the book

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1 that I saw.

2 Q. What -- if we don't focus in on books
3 right now, what types of activity does that provision
4 apply to?

5 A. Activities that earn income.

6 Q. Okay. So any activity that earns income?

7 A. Outside of your employment in the city.

8 Q. Okay. The last sentence down there of
9 subsection D says that, "This paragraph shall not
10 apply to single speaking engagements or participation
11 in conferences or professional panels."

12 Do you see that?

13 A. I do.

14 Q. So if you make money as a speaker, is it
15 your understanding that this -- you don't have to get
16 written permission; is that correct?

17 A. That's not my understanding.

18 Q. What's your understanding of that
19 provision?

20 A. I mean, this says, "This paragraph" -- if
21 you were to do it on a limited basis, but it's not as
22 broad as you just stated.

23 It says, "This paragraph shall not apply
24 to single speaking engagements or to participation in
25 conferences or in professional panels provided,

1 however, that any expense reimbursements received for
2 such engagements must be reported in accordance with
3 the section."

4 I mean, for -- to me that says, if you
5 engage in this behavior on multiple occasions, it's
6 not a single appearance.

7 Q. And multiple occasions per year or
8 multiple occasions per month?

9 A. I mean, that's for you to say. I think
10 the language says what it says.

11 Q. Okay. But you don't know --

12 A. It says that it "shall not apply to single
13 speaking engagements or to participation in
14 conferences or in professional panels."

15 Q. Does that only apply to oral speaking or
16 would it apply to written speech too?

17 MR. GEVERTZ: Object to the form.

18 THE WITNESS: I don't know the answer
19 to that.

20 BY MR. THERIOT:

21 Q. Okay. With regard to the violation of the
22 ethics code that if an opinion is rendered by the
23 ethics commission and there's a violation, do you
24 know if there's any appeal that is involved in that?

25 A. I'm not aware of the appellate process for

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1 it.

2 Q. So you don't know if there is one or not?

3 A. I do not.

4 Q. Chief Cochran was not the fire chief when
5 you took office; is that right?

6 A. He was not.

7 Q. When did you first hear about
8 Kelvin Cochran?

9 A. I was aware of him because he had been
10 chief under -- under my predecessor's administration.

11 Q. What did you hear about him?

12 A. I heard that he did a good job with the
13 City of Atlanta Fire Department.

14 Q. And that was from -- your predecessor told
15 you that?

16 A. Uh-huh.

17 Q. Yes?

18 A. The answer is yes. I apologize.

19 Q. It's quite all right. I'm doing the same
20 thing.

21 Did you -- anything else in particular
22 that you heard other than he did a good job?

23 A. Nothing else in particular.

24 Q. Did you hear anything about what he --
25 what his religious beliefs were?

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1 A. No.

2 Q. How did you come to offer the job of fire
3 chief to Kelvin Cochran?

4 A. After I was elected, Kelvin Cochran called
5 me and left a voicemail that he might be interested
6 in returning to Atlanta, and I returned that
7 telephone call.

8 Q. When did -- when approximately did that
9 telephone call occur?

10 A. It would have to have been around 2012 or
11 2013. I was elected in January 4, 2010.

12 Q. Okay. So about 2012?

13 A. I'm giving you the best recollection I
14 have.

15 Q. Right. And --

16 A. I don't recall. What I do know is, is
17 that I received a phone call and a voicemail message
18 saying that he might have an interest in coming home,
19 coming back to Atlanta. I returned that phone call,
20 and then we set up a meeting shortly thereafter where
21 we visited in Washington, D.C. And I believe it was
22 during a meeting at the U.S. Conference of Mayors at
23 the Capitol Hilton.

24 Q. And that occurred around that same time,
25 around 2012?

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1 A. I'm giving you the best -- it's possible.

2 Q. But whenever it occurred, there was a
3 phone conversation and then there was a meeting in
4 D.C.

5 A. That's correct.

6 Q. Did you consider anybody else as -- for
7 the position of fire chief?

8 A. Oh, I did. We actually had an active
9 search for the fire chief. And I told him that --
10 that I was excited about him joining my
11 administration, and that he would need to compete for
12 the job. But I certainly intended to be supportive
13 of his candidacy.

14 Q. How does that -- how does it work as far
15 as who gets to be appointed the fire chief or another
16 cabinet level?

17 A. Well, the way -- the way that we conduct
18 it was to conduct searches that were done by
19 independent panels made up of members of the
20 community that identified individuals, somewhere
21 between five to seven individuals, and then forwarded
22 those names to me.

23 But to be honest, Chief Cochran was
24 serving in a position at the national level. And my
25 sense was, that based upon his track record, that on

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1 the merits in a search process, he would do very
2 well.

3 And the way that the process worked was
4 that five to seven individuals, typically five, were
5 advanced to me for consideration.

6 Q. So you interviewed about five different
7 candidates for that job at that time?

8 A. I believe so. I may have.

9 Q. Okay.

10 A. It's been a long time. But there were
11 five names that were discussed, including the
12 gentleman who is currently the chief, Joel Baker.

13 Q. And you decided to select Chief Cochran
14 based upon his resume?

15 A. I did.

16 Q. What was it in particular about his
17 resume? Was it just his service on the national
18 level or were there other things?

19 A. I thought that it was a combination of his
20 service during my predecessor's administration and
21 the interview that I had with him and the results of
22 the folks that he was competing against in the pool
23 and -- and his national appointment, so it was -- it
24 was really those three things.

25 Q. All right. What was his -- or is --

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1 strike that.

2 What was his job description as fire
3 chief?

4 A. His job description as fire chief was to
5 run the fire department, fire and rescue department
6 for the City of Atlanta on a day-to-day basis.

7 Q. Once he was appointed did you have -- what
8 kind of contact did you have with Chief Cochran on a
9 regular basis?

10 A. He attended cabinet meetings on Monday.
11 There were ceremonial occasions for the fire
12 department, but those would typically be it.

13 Q. Did you -- did he communicate with you via
14 telephone?

15 A. He's communicated with me by telephone and
16 he communicated with me on very rare occasions by
17 text messages.

18 Q. What about by e-mail?

19 A. Very rarely. I don't recall communicating
20 with him by e-mail, and if he did, it was rare.

21 Q. Chief Cochran, as you understand it, was
22 he awarded the Fire Chief of the Year in 2012?

23 A. Uh-huh.

24 Q. And that was after he came to work for
25 you; is that right?

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1 A. That's correct.

2 Q. Do you know how he was nominated?

3 A. I have no idea.

4 Q. Did you congratulate Chief Cochran for his
5 award as fire chief -- by Fire Chief magazine for
6 Fire Chief of the Year?

7 A. I believe I did.

8 Q. Was that done in writing?

9 A. I don't know. I don't recall.

10 Q. Was the -- was that award well-deserved?

11 MR. GEVERTZ: Object to the form.

12 THE WITNESS: I don't know. I
13 didn't -- I didn't give it, so I don't know
14 what criteria they had. It was certainly
15 viewed favorably in the community.

16 MR. THERIOT: Let's mark this as
17 Plaintiff's Exhibit Number -- I'm giving
18 you the wrong one -- Exhibit Number 2.

19 (Exhibit 2 was marked for
20 identification.)

21 THE WITNESS: Thank you.

22 BY MR. THERIOT:

23 Q. I'm handing you what's been marked
24 as -- the court reporter is handing you what's been
25 marked as Plaintiff's Exhibit 2. This is a press

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1 release dated August 7th, 2012.

2 I guess -- I guess the first thing I ought
3 to do is ask you a little bit -- how do you handle
4 press releases in your department -- in your
5 administration?

6 A. The communications officer -- the
7 communications director prepares press releases.

8 Q. Okay. Do you instruct her to prepare a
9 press release, is that how it's usually done?

10 A. Well, actually, departments have
11 communications professionals within their
12 departments, so it's not a one-way communication.
13 Sometimes things occur in the department that they
14 want people to know about, and then they will reach
15 out to the mayor's office of communications because
16 when they come from our office, they're more
17 amplified.

18 So it's not a one-way approach. It's not
19 that the mayor's office says, this is what we want to
20 communicate. There are achievements that occur
21 within the departments. They have a communications
22 professional. And so there is two-way communication
23 between their comms individuals or communications
24 personnel and my office.

25 Q. All right. Did you -- do you usually

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1 review press releases before they go out?

2 A. If they have a quote from me in them, I
3 review them.

4 Q. Okay. So if you'll look at Plaintiff's
5 Exhibit Number 2, it's -- there's a quote from you on
6 page 2 that says that, "Chief Cochran's pioneering
7 efforts to improve performance and service within the
8 Atlanta Fire Rescue Department have won him much
9 deserved national recognition."

10 Is that a quote that you approved?

11 A. The answer is, I believe so.

12 Q. Is there anything about that quote that is
13 inaccurate?

14 MR. GEVERTZ: Object to the form.

15 Was inaccurate? You mean at the time?

16 BY MR. THERIOT:

17 Q. Yes.

18 A. There wasn't anything that's inaccurate at
19 the time. I approved this quote in 2012.

20 Q. Okay. Do you recall what you meant by
21 "pioneering efforts to improve performance and
22 service within the Atlanta Fire Rescue Department"?

23 A. I don't.

24 Q. It wasn't anything specific that you're
25 aware of that he was pioneering?

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1 A. The answer is, we had a very aggressive
2 recruiting capability. We had increased the number
3 of fire -- fire personnel that we had hired. And we
4 had worked on that effort together.

5 Q. Okay. Also, what about the phrase
6 "excellence shown throughout the department," were
7 there any particular instances of excellence you were
8 referring to?

9 A. The answer is, this was written in 2012.
10 He had won an important award within his profession.
11 And I gave comments that reflected that award in
12 2012.

13 Q. Okay.

14 MR. GEVERTZ: Kevin, when we get to a
15 break, it doesn't have to be now.

16 MR. THERIOT: We can do it right now.

17 THE WITNESS: No, I don't want to
18 break.

19 MR. THERIOT: You don't?

20 MR. GEVERTZ: Okay.

21 MR. THERIOT: All right. Let's press
22 forward. But eventually I may need one
23 along with counsel, so --

24 THE WITNESS: Okay.

25 MR. THERIOT: But I'm good.

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1 All right. Let's see. Let's, if we
2 may, mark this as Plaintiff's Exhibit 3,
3 please.

4 (Exhibit 3 was marked for
5 identification.)

6 BY MR. THERIOT:

7 Q. I'm handing -- or the court reporter -- I
8 need to fix my -- view the way I do things. The
9 court reporter's handed you what's been marked as
10 Plaintiff's Exhibit 3. This is a prepared text for
11 your annual State of the City breakfast address in
12 2013.

13 If you look on page 4 and 5 -- they're not
14 numbered, I apologize -- at the bottom of page 4,
15 there's a statement that begins with -- paragraph
16 that begins with, "Over at the Atlanta Fire and
17 Rescue Department, Chief Kelvin Cochran."

18 Do you see that?

19 A. Uh-huh.

20 Q. Okay. It says that, "Chief Kelvin Cochran
21 and his firefighters have achieved some major
22 milestones themselves. Last summer the department
23 achieved by administration's goal of -- my
24 administration's goal" -- excuse me -- "of full
25 staffing for four firefighters per engine and zero

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1 vacant firefighter positions for the first time in
2 decades."

3 Was there anything other than that
4 milestone that you were referring to?

5 A. I can't remember what was in my mind in
6 2013, but that was an important milestone that we
7 surged resources to accomplish.

8 Q. Okay.

9 A. It was a goal of my administration to have
10 a fully staffed fire department, and we spent an
11 enormous amount of money to achieve that objective.

12 Q. In -- I'm sorry, on the very next page
13 there's some other things. I should have pointed
14 those out. And those are accurate? At the top of
15 the next page it says -- those are accurate also?

16 A. Yes. And all of -- all of them were
17 accomplished through a surge in financial resources
18 from my administration.

19 Q. It was only accomplished through resources
20 or did Kelvin Cochran have something to do with it?

21 A. As I said earlier, it was through our
22 mutual efforts. So it was through the effort
23 as -- Chief Cochran as the leader of the department,
24 but also my administration's commitment to supporting
25 his department in a way that had not been done during

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1 previous times.

2 Q. Okay. When you say "in a way that had not
3 been done in previous times," what do you mean by
4 that?

5 A. I'm talking about the amount of money that
6 we spent on his department.

7 Q. Okay. And previous -- and I assume you
8 mean by previous administrations, that they weren't
9 able to spend the amount of money you were able to?

10 A. The amount of financial resources that we
11 put into the department. I don't know what they were
12 able to do, but they were not doing it.

13 Q. Okay.

14 A. So if you had a bar graph and looked at
15 the bar graph on the spend prior to my administration
16 being in place and today, you would see a significant
17 increase. And so that's why in my first comments, I
18 said that it was mutual.

19 Q. Did -- did that -- did the previous
20 administration's failure to provide the same level of
21 resourcing have anything to do with an economic
22 downturn?

23 A. I don't know. But I think that all
24 leaders and all administrations make decisions. They
25 weren't always in an economic downturn. In fact,

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1 they were governing through some of the most robust
2 times financially. A downturn occurred.

3 But administrations are eight years, so
4 there are moments when, if you have the resources,
5 that you can devote them to it. It's done by
6 choices.

7 Q. A little bit unrelated question. So you
8 mentioned administrations are eight years. Is
9 there -- is there a chance for a mayor to run again
10 after eight years?

11 A. The answer is no. The charter of the city
12 calls for two four-year terms consecutively.

13 Q. Okay.

14 A. But you can leave office for four years as
15 Maynard Jackson did, and then can run for a third.

16 Q. There's a -- looking again at Plaintiff's
17 Exhibit Number 3 -- am I right about that -- it says,
18 "As a result, the department" -- at the top of the
19 page there in the second paragraph that we were just
20 referring to.

21 "As a result, the department has
22 eliminated brownouts due to staffing shortages."

23 What does -- what does "brownouts" mean?

24 A. Periods of time when you didn't have the
25 women or men to execute on the function that was

1 needed.

2 Q. Okay. And that was due to some lack of
3 staffing?

4 A. It's my understanding that it was.

5 Q. Okay. Was there -- let me make sure I'm
6 looking at the right thing here -- was there a
7 federal --

8 (Off-the-record discussion.)

9 BY MR. THERIOT:

10 Q. Was there a federal grant given to the
11 Atlanta Fire and Rescue Department in 2012 in the
12 amount of \$1 million that you recall?

13 A. Federal -- there was a federal grant that
14 was earned after applying for it.

15 Q. Okay. And that earned by whom?

16 A. By our administration.

17 Q. So you -- and that grant, who was
18 responsible for submitting that request?

19 A. It was most likely the fire chief
20 supported by my office.

21 Q. Okay.

22 A. It is collaborative effort, but it was
23 probably led by the fire chief in the fire
24 department.

25 Q. Okay. What was -- when you say it was

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1 "earned," what do you mean by that?

2 A. You compete for it.

3 Q. Okay. What were the things that qualified
4 Atlanta in the competition to succeed as opposed to
5 other competitors?

6 A. I can't reflect today accurately in 2017
7 on the grant process when we have hundreds of grants
8 that occur. I can't give you details that go back to
9 the moment of 2012. .

10 Q. Okay. Did you ever receive any complaints
11 about Chief Cochran's performance as fire chief prior
12 to November of 2014?

13 A. Not formally.

14 Q. There's some informal ones?

15 A. Yeah, some grumbling among the women and
16 men of the department that he was all hat and no
17 cattle, mostly show. But he retained my confidence.

18 Q. I'm sorry, I misunderstood. Mostly show?

19 A. Yeah. I move around the City of Atlanta
20 on a constant basis. And there were members of the
21 fire department that were saying that his leadership
22 was mostly show.

23 Q. Oh, I see.

24 A. There's a saying -- I don't know whether
25 you've heard it -- but it's a Texas saying, all hat

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1 and no cattle, that he was more style than substance.

2 So that was starting to come from women
3 and men in his department. But he retained my
4 confidence. I still believed that he was the right
5 leader.

6 Q. Was -- what was the basis for that
7 grumbling?

8 A. I don't know. I was just -- you asked me
9 a question. I was trying to give you a full answer.
10 And you said, had I ever heard of any complaints.
11 That was the form -- that was the only form that I
12 heard that I recall.

13 Q. Okay. And it was informal face-to-face
14 kind of complaints?

15 A. Yes.

16 Q. Nothing in writing?

17 A. Not in writing.

18 Q. What about as the mayor of the City of
19 Atlanta, were there any aspects of Chief Cochran's
20 performance, prior to November of 2014, that you were
21 concerned about?

22 A. Prior to 2014? Yes.

23 Q. Okay. What were those?

24 A. The chief came to me in 2013 and told me
25 that the City of Atlanta Fire Department was getting

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1 ready to lose its accreditation, and I thought that
2 that was an awful result given the fact that in 2012
3 he was the Fire Chief of the Year.

4 And he came to me, we received a warning
5 notice from the accrediting body of the fire
6 department -- of our fire department, telling us that
7 if we didn't execute on a plan, that we were going to
8 lose our accreditation. And I was absolutely stunned
9 and completely disappointed.

10 And he said that we needed to surge
11 resources, so he needed an additional budget
12 allocation for between \$1 million and \$2 million in
13 order to complete -- to address these deficiencies.

14 And during that meeting I shared with
15 Chief Cochran that if we lost our accreditation, that
16 he was going to be terminated, that that would end
17 our relationship. And that was really the first time
18 since I've known Chief Cochran, that my confidence in
19 him was shaken.

20 Q. What is "accreditation"?

21 A. Accreditation is the national standard --
22 a national accrediting body that puts forth the
23 standards for leading cities in America to have in
24 order to meet -- to receive an accreditation.

25 So police departments, fire departments,

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1 correction departments have bodies of experts that
2 review your department, compare them to other
3 departments and really determine whether you are best
4 in the class or not.

5 Q. Not all fire departments or police
6 departments get accredited; is that right?

7 A. That is true. But the City of Atlanta had
8 been accredited. So this wasn't -- we weren't
9 competing for something new. This is losing
10 something that we had.

11 Q. What -- had the City of Atlanta ever been
12 in -- now, you mentioned -- I believe that you said,
13 "We would lose our accreditation."

14 A. That's correct.

15 Q. That's correct. Is there a difference
16 between losing your accreditation and being put into
17 deferred status?

18 A. Well, as Chief Cochran described it to me,
19 we were at risk of losing our accreditation.

20 Q. Okay. So it was your understanding --

21 A. So I'm not going to get into a debate
22 about deferred status. Deferred status is a step
23 from losing your accreditation.

24 Q. Right.

25 A. So we had something. We had a standard.

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1 We were on the verge of losing that standard. And if
2 we didn't directly respond to a series of risks, we
3 were going to lose that. And it was covered by the
4 Atlanta Journal-Constitution.

5 And so what I'm saying is, is that was the
6 first time during our relationship when my confidence
7 was shaken.

8 Q. Was -- was the City of Atlanta ever in
9 deferred status prior to that time?

10 A. I don't know the answer to the question.

11 Q. What was -- do you know the specific
12 reasons that it was -- or as you said, that you were
13 in danger of losing your accreditation?

14 A. I don't recall the specific reasons on
15 February 14th, 2017, of events that happened in '12.
16 But there was a list. There's clear documentation of
17 it. And there's also proof that after the
18 documentation that we surged financial resources to
19 support Chief Cochran.

20 MR. THERIOT: Okay. All right.

21 Let's mark this as Plaintiff's Exhibit 4,
22 please.

23 (Exhibit 4 was marked for
24 identification.)

25

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1 BY MR. THERIOT:

2 Q. I'm handing you what's been marked as
3 Plaintiff's Exhibit 4, the reaccreditation report.
4 Have you seen that before?

5 A. I have.

6 Q. If you'll turn to page 5 of that report,
7 and take your time reviewing it if you want to look
8 at it more closely.

9 A. Okay.

10 Q. But what I'm particularly interested in is
11 about halfway down page 5 there's a -- there's a
12 paragraph that begins with, "The department is funded
13 almost entirely." Do you see that one?

14 A. Okay.

15 Q. Is that an indication that part of the
16 reason for the concerns about reaccreditation was
17 that -- was the economic downturn?

18 MR. GEVERTZ: Object to the form.

19 THE WITNESS: That's a -- that's a
20 vague reason. That wasn't the reason that
21 was presented to me when Chief Cochran met
22 with me in my office.

23 BY MR. THERIOT:

24 Q. What --

25 A. What Chief Cochran said in my office was,

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1 there are a number of technical issues, primarily
2 related to technology, that we had not executed on.
3 There was never any reference to the economic
4 condition of the City of Atlanta. We were going
5 through what the United States of America was going
6 through.

7 Q. Okay. What were the technical things that
8 we mentioned?

9 A. I don't remember what he said in a meeting
10 in 2012.

11 MR. THERIOT: Okay. Let's mark this
12 as Plaintiff's Exhibit 5.

13 (Exhibit 5 was marked for
14 identification.)

15 THE WITNESS: Thank you.

16 (Off-the-record discussion.)

17 BY MR THERIOT:

18 Q. Plaintiff's Exhibit 5 is a PowerPoint
19 entitled "Center For Public Safety Excellence and
20 reaccreditation follow-up briefing."

21 Is that a PowerPoint that Chief Cochran
22 presented to you at some point?

23 A. I believe so.

24 Q. Okay. And if you look on the last page,
25 it says, "Resources Required." Does -- does that

1 reflect your understanding of the resources that were
2 required?

3 A. It does. It reflects PowerPoints, but as
4 I said, we had a meeting where we went into detail
5 about what was required.

6 Q. Okay. And did that meeting -- was
7 this -- is that the meeting where this PowerPoint was
8 presented?

9 A. No, it was not.

10 Q. Okay. It was not.

11 A. It was a meeting that took place with
12 myself and our COO where he informed me of the news
13 that we were getting ready to -- that we were at risk
14 of an accreditation downgrade. Shortly after that
15 there were television and print reports of that
16 downgrade.

17 Q. How did they become aware of the
18 downgrade?

19 A. I have no idea.

20 Q. Did -- that last page mentions "enhanced
21 analytics technology" and "restore Battalion 1."

22 A. That's consistent with my comments
23 regarding --

24 Q. Right.

25 A. -- his statements that there were

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1 technology advancements and upgrades that were
2 needed.

3 Q. And the reason why -- did he articulate
4 the reason why those were needed, because we
5 weren't -- didn't have the funding to keeping up with
6 keeping a battalion in place and keeping the
7 technology upgraded in that meeting?

8 A. No. That wasn't the explanation that he
9 was giving.

10 If you look at what we were doing, we had
11 already started shifting resources to -- to the fire
12 department, so the "I don't have the money for it"
13 really isn't the explanation, because when he came to
14 me and said that he needed the money, he got the
15 money that he needed.

16 Q. Okay. And when did he get the money that
17 he needed?

18 A. You would have to consult our records.
19 But after that meeting, the COO and I left, and my
20 direction to the COO was to fully support what we
21 needed to do because I did not want us to either be
22 on an "at risk" list or to lose our accreditation or
23 to have our ISO rating downgraded.

24 So Atlanta currently has an ISO rating of
25 one. It had been two before. That was important to

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1 me and I wanted to make sure that that was protected
2 and that Chief Cochran was supported.

3 Q. Okay. Did -- had the City of Atlanta ever
4 achieved the rating of one prior to that time?

5 A. I can't answer that. I do not believe
6 that we've achieved an ISO rating of one before.

7 Q. All right. Was there anything that
8 Chief Cochran did in attempting to get out of
9 deferred status and retain accreditation that was not
10 up with your expectations? Let me -- let me rephrase
11 that question.

12 A. Yeah, I don't think that that's a --

13 Q. Yeah.

14 A. -- that's not a fair question.

15 Q. Okay.

16 A. There was a status. There was a letter
17 that said we were at risk and we were either going to
18 lose accreditation or be restored to full status.
19 That's the way that I looked at the result.

20 Q. Okay.

21 A. So I wasn't -- there were requests made
22 for resources. Resources were applied to the
23 problem, and the status was retained.

24 Q. Okay. So a better question would have
25 been -- I agree with you, that was a bad question.

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1 A. No, I'm not commenting on your question.
2 You're doing a fine job.

3 Q. Was -- was there any -- did you have any
4 concern about his actions after his meeting with you
5 and after he applied -- and the way that he applied
6 the resources that you allocated to him in order to
7 retain accreditation?

8 A. I can only say that we achieved the result
9 of retaining accreditation. That was my feeling.

10 MR. THERIOT: All right. Let's just
11 mark this as Plaintiff's Exhibit 6, please.

12 (Exhibit 6 was marked for
13 identification.)

14 THE WITNESS: Thank you.

15 BY MR. THERIOT:

16 Q. Plaintiff's Exhibit 6 is an April 1st,
17 2014, letter from the Center For Public Safety
18 Excellence. Is your understanding that's the
19 accreditation body?

20 A. It is my understanding that this is the
21 body that accredits our fire department.

22 Q. And they say -- the letter says in
23 paragraph 1, "Your response to the team's findings
24 has been admirable and your determination to correct
25 noted deficiencies is apparent."

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1 Any -- do you disagree with that statement
2 at all?

3 A. I think this is an atta-person letter for
4 achieving something that never should have happened.
5 It says that accreditation was retained. And my
6 position was we never should have been in this
7 posture.

8 Not once -- hold it. I'm going to answer
9 your question -- not once prior to receiving a letter
10 threatening accreditation of our department did
11 Chief Cochran ever have a single conversation with me
12 about this issue, not once.

13 So you don't get to do the "I don't have
14 what I need" and "I don't have the resources." If
15 you came to me and asked me for resources and we
16 didn't support your resource request, that's one
17 issue.

18 But to have a body that has its
19 accreditation, for it to go into a status that is a
20 level above full accreditation, to be at risk is the
21 term that I'm using, this is just a letter that says
22 you didn't lose it. That's all.

23 Q. Did --

24 A. You did what it took not to lose, not to
25 lose your national accreditation. So that's the way

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1 that I looked at it.

2 Q. So prior to that meeting that he had with
3 you and Mr. Geisler, had he ever asked for resources
4 before, ever?

5 A. Absolutely, as a part of the budget
6 process. All of your department heads make resource
7 requests.

8 Q. Okay. So when you say he never asked for
9 resources, you mean never asked for resources
10 specifically regarding accreditation?

11 A. The answer is no. Never asked for
12 resources regarding accreditation, that's correct.

13 Q. But he did ask for resources for the fire
14 department prior to his meeting with you and
15 Mr. Geisler about accreditation?

16 A. As a part of the budget process, he did.

17 MR. THERIOT: Okay. So I'm going to
18 have this marked Plaintiff's Exhibit 8.

19 THE REPORTER: No, 7.

20 MR. THERIOT: Seven.

21 (Off-the-record discussion.)

22 (Exhibit 7 was marked for
23 identification.)

24 BY MR. THERIOT:

25 Q. All right. So Plaintiff's Exhibit 7 is a

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1 press release dated August 29th, 2014. Is that a
2 press release that you approved?

3 A. The answer is, I don't know because it
4 doesn't have a -- okay, if I -- if I have a quote in
5 it, then I approved it, yes. So let me read my
6 quote.

7 Q. All right.

8 A. Okay.

9 Q. Okay. Is there -- is there anything about
10 the press release that you saw that was inaccurate?

11 A. Not that I saw.

12 Q. But it indicates that, in fact, this was
13 for the first time in the city's history that you
14 obtained a Class 1 rating, right?

15 A. That's correct.

16 Q. And that's correct as far as you know?

17 A. Yes.

18 Q. Okay. And the -- the result was that
19 insurance premiums, particularly to commercial
20 properties, would be lowered by the year's end; is
21 that right?

22 A. Uh-huh.

23 Q. So the -- the money that you -- that you
24 gave and -- and through the efforts that the
25 department took to make the upgrades, they were able

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1 to obtain this status that they never obtained
2 before, right?

3 You missing something?

4 MR. GEVERTZ: Object to the form.

5 MR. THERIOT: Okay.

6 THE WITNESS: Through our mutual
7 work, we were able to obtain an ISO rating
8 of one.

9 BY MR. THERIOT:

10 Q. Okay. And the benefits of that in your
11 mind were?

12 A. Meaningful to commercial and personal
13 property owners in our city.

14 Q. Okay. This might be a good time to take a
15 break, but it's up to you, Mayor.

16 A. I'd like to attend a wedding today --

17 Q. Okay.

18 A. -- so I'd like to keep going.

19 Q. All right. Let's keep going. I'm going
20 to have to take a break probably in about 30 minutes,
21 but we'll press on.

22 A. Okay.

23 Q. When did you first hear that Chief Cochran
24 had written a book?

25 A. Sometime towards the end of 2013.

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1 Q. Who told you that he had written a book?

2 How did you find that out?

3 A. Sometime during the course of 2013

4 Chief Cochran had referenced that he was writing a
5 book or had written a book, and so during a cabinet
6 meeting said it in a casual -- after being in a room
7 like this, said that he was either writing a book or
8 had written a book. So I had heard of that sometime
9 in 2013.

10 Q. That was at a -- in a -- it was at a
11 cabinet meeting, but you don't recall exactly when
12 that was?

13 A. I don't. After a cabinet meeting, which
14 is a meeting of the city's principals, he said that
15 he was either working on a book or had written a
16 book.

17 Q. Sometime in 2013?

18 A. Uh-huh.

19 Q. When did you first actually see a copy of
20 the book?

21 A. The first time I actually saw a copy of
22 the book was when Yvonne Yancy came into my office,
23 that I recall --

24 Q. Okay.

25 A. -- and told me about Chief Cochran's book.

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1 Q. Approximately when was that?

2 A. It would have been sometime in the --
3 between October and December in '13.

4 Q. Okay.

5 MR. GEVERTZ: '14?

6 THE WITNESS: '14. I'm doing the
7 best I can. Towards the end of the year.

8 BY MR. THERIOT:

9 Q. Right. Okay.

10 A. I just remember that it was around the
11 holidays.

12 Q. All right.

13 A. Around the holiday season.

14 Q. Do you remember having a conversation with
15 Chief Cochran in February of 2014 around the State of
16 the City address in which you told him that you had
17 received a copy of his book?

18 A. The answer is no.

19 Q. Okay. So the first time you talked to him
20 about the book was at that staff meeting sometime --

21 A. The time that I remember --

22 Q. Right.

23 A. -- is when -- in cabinet, and he said that
24 he was either working on a book or had written a
25 book.

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1 Q. Okay.

2 A. And he wanted me to have a copy.

3 Q. Okay.

4 A. And so what I -- what I want to give you a
5 sense of is the amount of materials that I receive on
6 a daily basis is beyond voluminous, so I don't recall
7 ever seeing his book until Commissioner Yancy walked
8 in my office with it.

9 Q. Okay.

10 A. And I've never read it.

11 Q. Did your executive assistant,
12 Lilly Cunningham, ever mention to you that
13 Chief Cochran had left a copy of the book with her?

14 A. Not that I recall at all.

15 Q. Did -- did you ever ask her about that
16 since the events of this -- underlying this lawsuit
17 took place to see if she remembered that?

18 A. No.

19 Q. Is it possible that Chief Cochran could
20 have given her a copy of the book and gave it to you
21 and he had a conversation about that with you?

22 A. It's also possible that he did not.

23 Q. Okay. You don't have any specific
24 recollection one way or the other?

25 A. I do not. I mean, people send books to me

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1 literally on a constant basis from all over the
2 world, so.

3 Q. The -- the City of Atlanta has a -- is it
4 called a mayor's or city book club; is that right?

5 A. They do. We have a book club. I don't
6 think it's called the mayor's book club, but we have
7 a book club.

8 Q. And how -- are you involved in that at
9 all?

10 A. Not at all.

11 Q. Do you have any idea what kind of books
12 that they review?

13 A. No. That's run by Commissioner Yancy's
14 shop. So the answer is no. On occasions there are
15 authors that will ask me to come by their book
16 signing or book event.

17 On occasion, if there is someone of
18 outstanding note, like H.J. Russell, I participated
19 in hosting an event for him. I participated in
20 hosting an event for a man named Frank Savage. But
21 in seven years, I've been involved in the book club
22 less than six times.

23 Q. What were those two books about that you
24 mentioned?

25 A. Well, H.J. Russell is a person who

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1 mentored me and is probably one of the most talented
2 business people that I've never known, and he -- and
3 we had a book event where I interviewed him.

4 Frank Savage is a man, another business
5 man, that I served on the board of Howard University
6 with and he wrote a book called The Savage Way, and I
7 interviewed him for his book as well.

8 Q. Is that also a business-related book?

9 A. It is.

10 Q. Did -- did you ever tell Chief Cochran
11 that you got a copy of his book and you would read it
12 on an upcoming flight?

13 A. Not that I recall.

14 Q. When did you first hear that someone
15 complained about Chief Cochran's book? Was that when
16 Yvonne Yancy came into the office and --

17 A. Yvonne Yancy came into my office with a
18 book and said that were -- that I needed to take a
19 look at it. She had highlighted some passages in the
20 book. I listened to her at the time, and then -- and
21 then I left. I went for a jog. And then at the end
22 of my jog, I got a phone call from Alex Wan, who is a
23 member of the Atlanta City Council, expressing his
24 concerns about the book to me.

25 Q. Okay. So let's take the -- the first

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1 conversation with Ms. Yancy first.

2 A. Sure.

3 Q. I believe you testified it took place in
4 October of '14 or November or somewhere around --

5 A. I'm giving you my best guess.

6 Q. Right. What -- what did she say to you
7 and what did you say to her in that conversation?

8 A. She said that -- that Chief Cochran had
9 distributed a book with a number of inflammatory
10 comments around women, some inflammatory comments
11 around Jewish people, some inflammatory comments
12 around LGBTQ people.

13 Q. And she showed you a copy of some excerpts
14 of the book; is that right?

15 A. She did.

16 MR. THERIOT: Let's mark this as
17 Plaintiff's Exhibit 8.

18 (Exhibit 8 was marked for
19 identification.)

20 THE WITNESS: Thank you.

21 BY MR. THERIOT:

22 Q. Plaintiff's Exhibit 8 is some excerpts of
23 the book that we -- that your attorneys have provided
24 us through discovery. Is -- does this appear to be
25 the -- a copy of what Ms. Yancy gave to you in that

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1 meeting?

2 A. It appears to be.

3 Q. Did you look at it at that time?

4 A. I looked at some of it. I didn't look at
5 all of it at that time, so.

6 Q. But the marks in here, and they're not
7 real evident, there are some editing marks in writing
8 and then you can kind of see there's some gray
9 shading.

10 A. Uh-huh.

11 Q. Those were done -- were those done by you?

12 A. They were not done by me.

13 Q. Do you know who did them?

14 A. I do not.

15 Q. All right. After she spoke to you and
16 told you, did she point out particular portions of
17 the book that you should read and take notice of?

18 A. She did. She pointed out the passage
19 regarding members of the Jewish community, she
20 pointed out a passage that related to women, and she
21 pointed out a passage that related to homosexuality.

22 Q. Do you know how she was able to obtain a
23 copy of the book?

24 A. I have no idea.

25 Q. She never mentioned who she got it from.

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1 She just said that she had it.

2 A. I think that there was some information
3 around it, but I don't recall. I mean, I get an
4 enormous amount of information. My human resources
5 commissioner walked into my office, she said, We have
6 received a complaint from an employee who has brought
7 this to our attention -- I don't know if "complaint"
8 was the word that was used -- and I'm concerned about
9 it.

10 Q. She didn't tell you who brought it to her
11 attention?

12 A. Not that I recall.

13 Q. And then you -- about that same time you
14 got a -- I believe maybe even the same day after your
15 jog, you got a phone call from Councilman Wan.

16 A. Yeah, on or near that time. I'm giving
17 you my best recollection.

18 Q. Sure.

19 A. I got a phone call from Councilman Wan
20 telling me that he was very concerned about a call
21 that he had received from a member of our fire
22 department, and I returned -- I either returned his
23 phone call or answered his call.

24 Q. How did he contact you?

25 A. By cell phone.

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1 Q. What did -- did he say who he received a
2 copy of the book from?

3 A. I believe that he said from a member of
4 the fire department.

5 Q. Didn't say any names?

6 A. No, not that I'm able to recall in 2017.

7 Q. What did -- what did you say to him in
8 response to his concerns?

9 A. I said, I appreciated him calling me
10 regarding it, that our -- that our human resources
11 department was aware of it, and that we -- that we
12 would look into it.

13 Q. Did anybody else complain at that time?

14 A. Not that I recall.

15 Q. Okay. What was the next step that you
16 took after you spoke to Ms. Yancy and Mr. Wan?

17 A. The next step that I took was to meet with
18 my human resource commissioner, the COO, the chief of
19 staff, and the city attorney.

20 Q. When did that meeting take place?

21 A. Shortly after -- sometime during that week
22 or the following week after Ms. Yancy brought the
23 book to my office.

24 Q. So it was within a week or two of that, so
25 October or November of 2014?

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1 A. Uh-huh.

2 Q. Okay. Where was that meeting held?

3 A. It was either in the ceremonial office at
4 city hall or it was in my library at city hall.

5 Q. How was that meeting called?

6 A. It was a meeting that I called because I
7 wanted to know -- at that time I'd gotten -- I'd
8 heard from my HR person that there was concern. I
9 have my own knowledge base around cases related to
10 Title 7 issues and knew that we needed to find out if
11 he was distributing the book within the department,
12 because that sent up a red flag for me, how it was
13 being distributed, and so I wanted to know what was
14 going on.

15 Q. Okay. Did you -- did you call that
16 meeting via e-mail or did you just have a phone call
17 with the folks that were involved?

18 A. I think that I saw Yvonne Yancy and asked
19 her to pull a together and let's talk about it.

20 Q. Okay. What was said during that meeting?

21 MR. GEVERTZ: Hold on. Kevin,
22 there's a good chance that this was not
23 privileged, but there's the potential,
24 given Ms. Hampton's attendance, that there
25 was at least a portion of it that was. I

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1 can confer with him now off the record and
2 then give him some instructions on the
3 record, but I think there's stuff there
4 that you can probably get into. I just
5 don't know where to draw the line.

6 MR. THERIOT: Okay. So you want to
7 put that in the same category as -- as
8 Miguel Southwell and Michael Geisler and
9 come back to that after -- when we do take
10 a break?

11 MR. GEVERTZ: That's your decision.

12 THE WITNESS: However you all want to
13 proceed.

14 MR. GEVERTZ: That's fine.

15 BY MR. THERIOT:

16 Q. Okay. After that meeting, what was --
17 what was the result of that meeting?

18 A. I don't recall what the result of the
19 meeting was because the first meeting that we had was
20 primarily informational. I didn't have enough
21 information to find out what Councilmember Wan was
22 talking about or to know the circumstances around
23 Yvonne identifying this language.

24 And so what I wanted was their best --
25 best judgment that I could get on the path ahead.

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1 And I think that I asked Ms. Yancy to look into what
2 had occurred and try to give me a more full response.

3 So, for example, I didn't know when the
4 book had been written. It may have been written when
5 he worked in another job. These were just facts that
6 I didn't have.

7 So similar to what would occur in your
8 organization, when you get two incoming phone calls,
9 one from an HR person and one from a member of the
10 legislative branch raising a question, before you
11 respond you want to try to get some sense of what
12 actually happened here. And so that was -- that was
13 the substance of the visit that I had.

14 Q. At that point did you ask anyone to do an
15 investigation? Is that what you mean?

16 A. No. At that point I asked to start
17 looking into this and find out what the facts are.

18 Q. But there was no -- I'm sorry, I
19 interrupted you.

20 A. On that day I did not ask for an
21 investigation.

22 Q. Okay.

23 A. I asked to find out what were the facts.

24 Q. Okay. So after -- after they went and got
25 some facts and they -- was there another meeting

1 after that initial meeting where they reported that?

2 A. After that I spoke with Yvonne Yancy, she
3 informed me that the book had been written while he
4 was the fire chief. She pointed out that he used his
5 title as fire chief in the book. She told me that
6 she had confirmed that the book had been given to
7 individuals, and at that point I determined that we
8 needed to investigate -- to have an investigation,
9 because at that point we had members who were a part
10 of the fire department who had received a book that
11 to some could be offensive. And I really was
12 concerned about Title 7 issues at that point.

13 Q. Okay.

14 A. And so I ordered that an investigation
15 proceed. And in order to do that, obviously we
16 couldn't have -- in my opinion, have the chief in the
17 building while we had an investigation around, what
18 were the real facts related to this book?

19 Q. When -- approximately when did you make
20 that decision? Let me just represent to you --

21 A. Sometime within -- no, I can tell you.

22 Q. Okay.

23 A. Sometime within 15 days after first being
24 made aware of it.

25 Q. And he was suspended on November 24th,

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1 2014. So how many -- how many days prior to that was
2 that decision made?

3 A. Sometime within two weeks before that.

4 Q. Okay. Did you want to terminate
5 Chief Cochran at that time?

6 A. I did not want to terminate him because I
7 liked him. I was disappointed, but I didn't want to
8 terminate him. Certainly without having a full
9 complement of the facts.

10 Q. Was there -- was there anyone else -- or
11 anyone that recommended that he be suspended, or was
12 that pretty much your decision based upon your
13 experience?

14 MR. GEVERTZ: Hold on. You've got to
15 exclude Kathy, Bob, and the legal team, but
16 outside of them, if you can answer, you
17 should.

18 THE WITNESS: Yes. Yvonne Yancy
19 recommended that he be suspended.

20 BY MR. THERIOT:

21 Q. And what was her rationale for that?

22 A. That we had clear liability around Title 7
23 issues.

24 Q. What was your understanding of the clear
25 liability around the Title 7 issues?

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1 A. I was concerned that if a person was
2 having a book with the contents of his book being
3 distributed, either for sale or directly from a
4 person in that position of authority, that it could
5 cause real discomfort to our employees, and we could
6 be sued as a result.

7 Q. Based on what aspect of Title 7? What --

8 A. Hostile environment.

9 Q. Hostile environment towards -- based on
10 religion, based upon --

11 A. I think the breadth of the book covered so
12 much.

13 Q. Okay.

14 A. For any number of reasons. I think it
15 certainly warranted an inquiry.

16 Q. And so at that point you were concerned.
17 You didn't have any evidence of a hostile work
18 environment?

19 A. I did not. But I do know that once a
20 matter is brought to your attention and that you
21 don't act to at least make an inquiry, that you open
22 the city up to significant liability long term, and
23 so that was a concern of mine. And I tried to make
24 the judgment in an even-handed fashion to give time
25 and space to find out what were all of the facts

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1 prior to making a decision.

2 Q. Prior to his suspension on November 24th,
3 did anyone other than your attorneys recommend that
4 he be terminated?

5 A. I don't recall.

6 Q. Was there anyone that -- other than your
7 attorneys -- that recommended that he not be
8 suspended prior to this suspension date on
9 November 24th?

10 A. No.

11 Q. Why did you decide -- all right. I
12 mean -- strike that.

13 So your testimony, as I understand it, is
14 that you decided to suspend him so you could take --
15 could do an investigation because you were concerned
16 about some possible Title 7 ramifications.

17 A. The answer is, I decided to suspend him
18 because we needed to find out what the facts were.

19 So I had received a phone call from
20 Councilmember Wan, my HR representative had raised
21 legitimate concerns that involved the treatment of
22 women, comments about Jewish people, comments about
23 homosexual people, and so I had a concern that this
24 book -- I didn't know whether it was sold or given.
25 So if you're in my shoes, you have no idea what the

1 facts are.

2 And so I thought that -- and you couldn't
3 have the chief in the building because the fire
4 department, Atlanta Fire Rescue, operates under a
5 command structure. So how could you have gone
6 through and interviewed people and gotten their
7 honest reflection with the chief sitting in the
8 building?

9 And so I thought that the fairest path was
10 to suspend him, get him out of the building, and to
11 find out what the facts were.

12 Q. Whom did you tell to suspend him?

13 A. Commissioner Yancy.

14 Q. Did -- did you tell her to give him a
15 specific reason?

16 A. I didn't direct the execution of the
17 suspension. I made it clear to Commissioner Yancy
18 and the chief operating officer, who is the person
19 that the fire chief directs -- reports directly to
20 and is the person that they communicate to, that it
21 be done.

22 Q. That was Michael Geisler?

23 A. Mr. Geisler, yes.

24 Q. But you didn't give them any specifics
25 about what to tell him, just suspend him?

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1 A. I did not give them specifics about what
2 conversation to have with him.

3 Q. Did you tell them to tell him not to talk
4 to the press?

5 A. I definitely asked that during the
6 investigation that he not communicate about this
7 employment matter.

8 Q. And that was the phrase you used?

9 A. Definitely.

10 Q. Okay. As far as you know, is that what
11 they told him?

12 A. As far as I know.

13 Q. Do you have any indication -- is there
14 anything in writing about what they told him in the
15 meeting that they had with him?

16 A. Not that I have in my possession.

17 Q. Did you ever discuss what -- how that
18 meeting went that they had with Chief Cochran where
19 they informed him of his suspension with Ms. Yancy or
20 Mr. Geisler?

21 A. No. I didn't discuss it, because I don't
22 think anyone enjoys being suspended.

23 Q. Right. Was the admonition not to -- I
24 don't want to misphrase your -- misquote you -- not
25 to do any communication; is that right?

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1 MR. GEVERTZ: Object to the form.

2 THE WITNESS: No. I answered the
3 question. My -- my comment to my HR
4 commissioner was that he should not discuss
5 this employment matter.

6 BY MR. THERIOT:

7 Q. Okay. And was that communicated in
8 writing in any way?

9 A. Not that I'm aware of. I don't know the
10 answer to the question.

11 Q. You didn't communicate it in writing in
12 any way?

13 A. I did not.

14 Q. And you've never seen it in writing
15 anywhere?

16 A. Not that I recall in 2017.
17 (Off-the-record discussion.)
18 (Exhibit 9 was marked for
19 identification.)

20 BY MR. THERIOT:

21 Q. This is -- I'll have this marked as
22 Plaintiff's Exhibit 9. This is a November 24th, 2014
23 letter to Kelvin Cochran. Have you seen that letter
24 before?

25 A. I have not.

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1 Q. So you didn't direct anyone to write a
2 letter like this?

3 A. No. I directed that he be suspended for
4 30 days. Commissioner Yancy made the recommendation
5 for a 30-day suspension, and I agreed with the
6 recommendation.

7 Q. All right. It says that, "This notice of
8 a 30-day suspension without pay is being issued to
9 you for your performance of an action that
10 constitutes a cause of action as outlined in
11 Section 114-528."

12 What cause of action is being referred to
13 here?

14 A. Creating and producing a book for sale
15 without authorization of the ethics board. I mean,
16 the sentence in front of me really articulates it
17 pretty clearly.

18 In the document, your Exhibit 1, it says,
19 "Commissioners, deputy commissioners, department
20 heads, chief operating officer, deputy chief
21 operating officer, chief of staff, deputy chief of
22 staff, bureau directors and employees of the office
23 of the mayor who report directly to the mayor shall
24 not engage in any private employment or render any
25 services for private interests for remuneration

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1 regardless of whether such employment or service is
2 compatible with or adverse to the proper discharge of
3 the official duties of such employee."

4 And so there was no letter provided by the
5 ethics officer or the ethics board, period. Full
6 stop.

7 MR. THERIOT: Three minutes?

8 I think we should stop right there,
9 and then -- because it's going to -- I
10 won't be able to do the next line of
11 questioning in three minutes. So is that
12 okay with you?

13 THE WITNESS: It's fine with me.

14 MR. THERIOT: It'll take about -- how
15 long will it take you to change it out?

16 THE VIDEOGRAPHER: Five minutes.

17 MR. THERIOT: Five minutes. Do you
18 want to take about a five-minute break?

19 THE WITNESS: That's fine with me.

20 MR. THERIOT: Okay. All right. And
21 then we'll convene in five minutes.

22 THE VIDEOGRAPHER: This concludes
23 Media Number 1 to the video deposition of
24 Mayor Kasim Reed. We're off the record at
25 11:28 a.m.

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1 (A recess was taken.)

2 THE VIDEOGRAPHER: This begins Media
3 Number 2 in the video deposition of
4 Mayor Kasim Reed. We're back on the record
5 at 11:45 a.m.

6 BY MR. THERIOT:

7 Q. Mayor, we're back on the record. You're
8 still under oath. Do you understand that?

9 A. Yes.

10 - - -

11 (Whereupon, testimony ensues that has
12 been designated confidential.)

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1 (Whereupon, the following testimony
2 has been designated as confidential.)

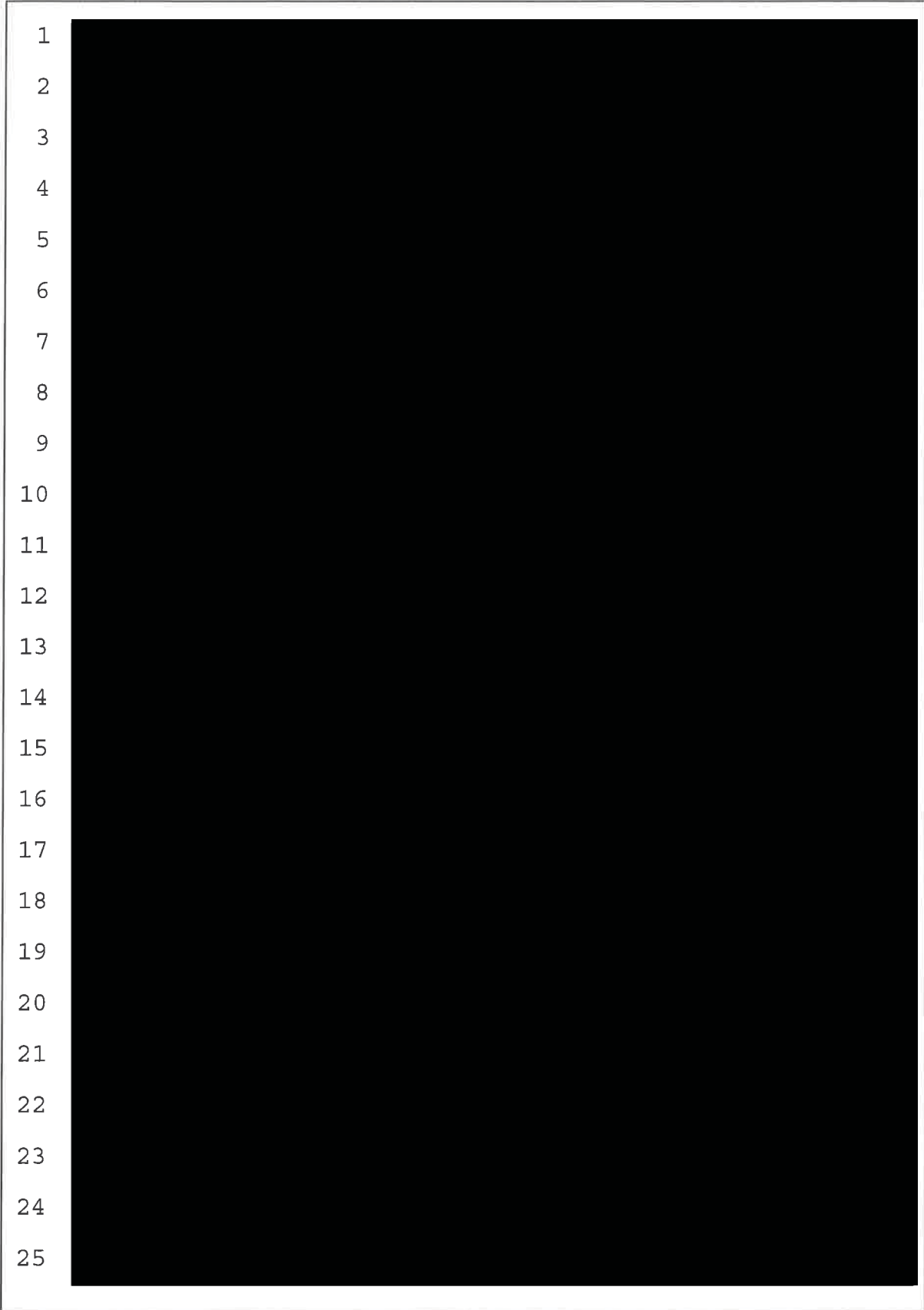
3 - - -

4 BY MR. THERIOT:

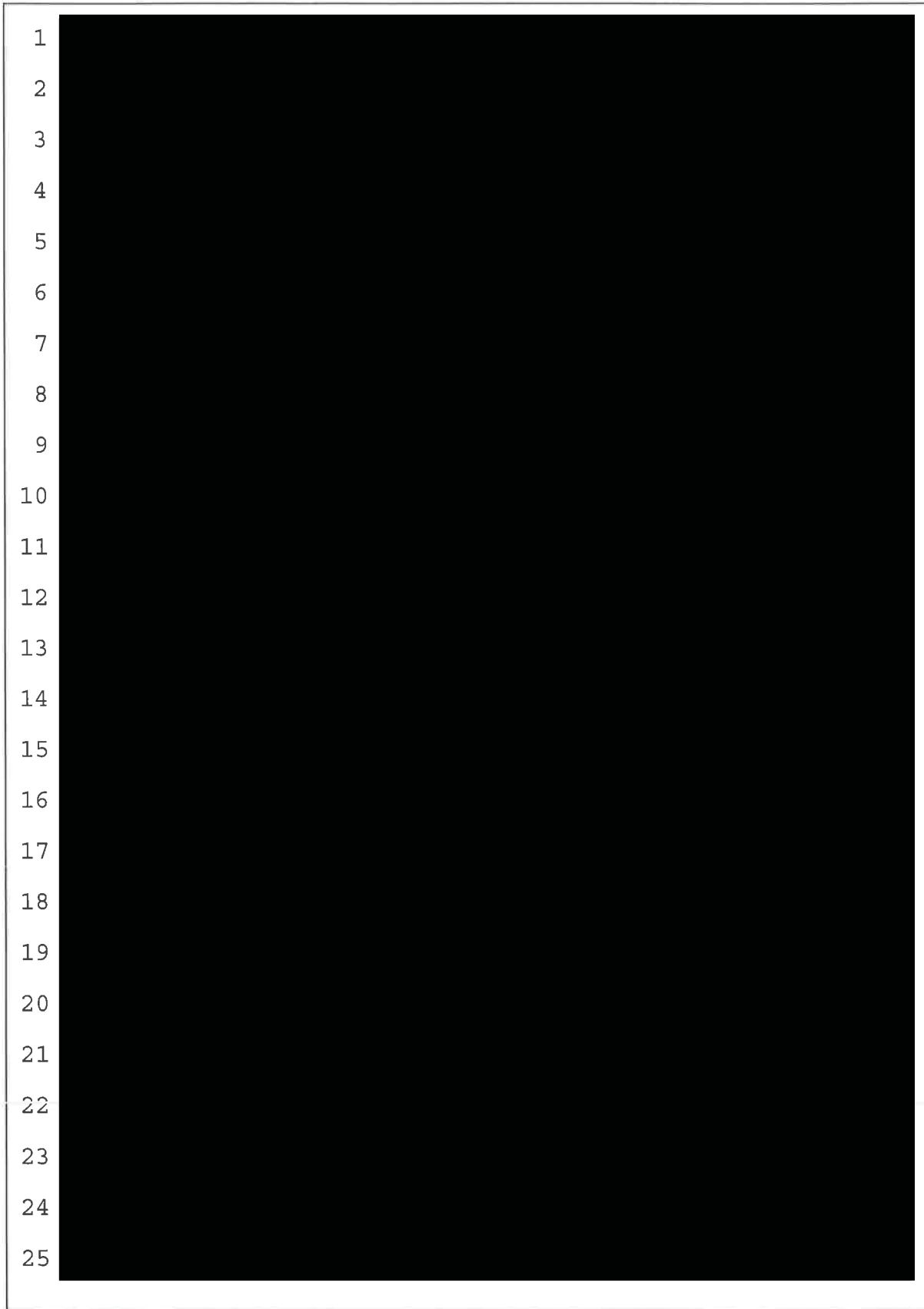
5 Q. Okay. I'd like to go back and talk about
6 a couple of things that -- you were a little
7 concerned about some privilege issues and address
8 those.



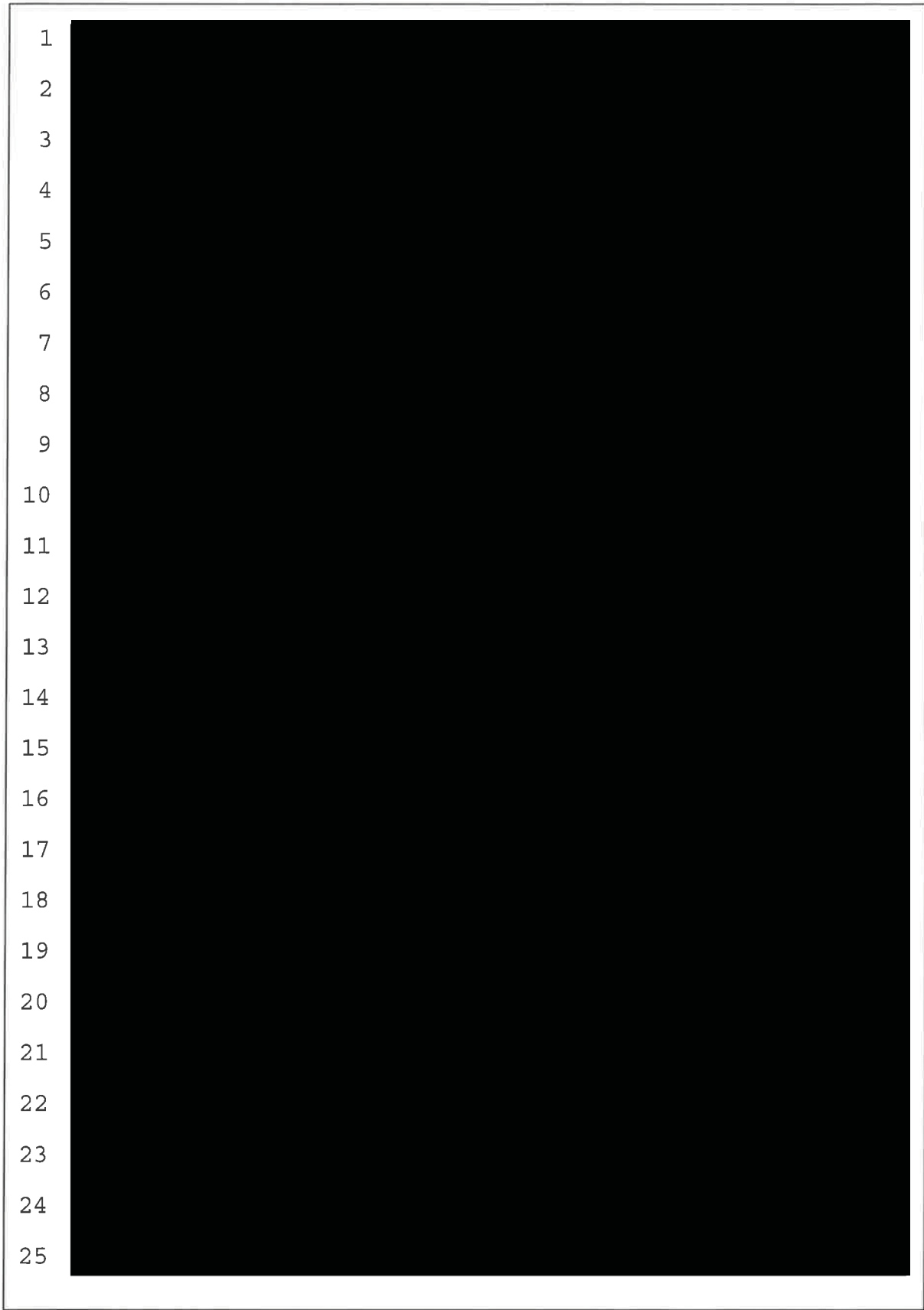
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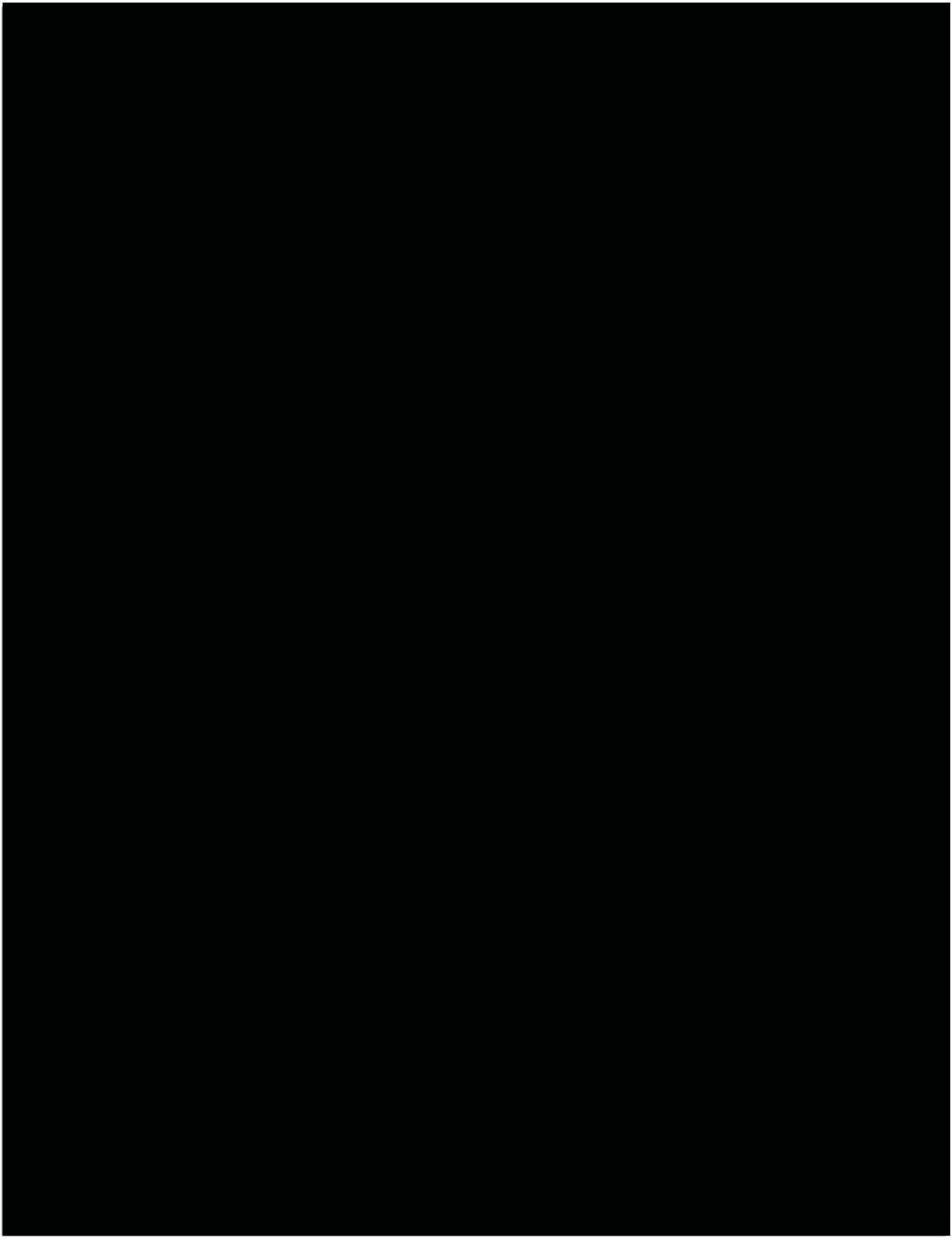
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(Whereupon, the testimony is no longer designated confidential.)

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1 BY MR. THERIOT:

2 Q. One more little cleanup matter --
3 actually, two more.

4 The -- after the accreditation process,
5 the reaccreditation process on obtaining Class 1
6 status, was --

7 A. The -- finish the question.

8 Q. -- was there any action, discipline taken
9 against Chief Cochran about that process?

10 MR. GEVERTZ: Object to the form.

11 THE WITNESS: Well, first of all,
12 there are two separate experiences. So one
13 was the point where we were threatened to
14 lose our accreditation, and then there was
15 the point where we surged resources in
16 support of Chief Cochran to fund his
17 recommendations to resolve it. And then
18 there was the retention. So that was a
19 series of events.

20 And then after that we did receive an
21 ISO rating to the one position.

22 BY MR. THERIOT:

23 Q. Okay.

24 A. And so there were no disciplinary measures
25 taken against him at that time.

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1 Q. Okay.

2 A. Because I had informed him in the meeting
3 that we had when he brought the downgrade to our
4 attention that if we did not retain our
5 accreditation, that he would be fired.

6 So in that meeting I said, because I
7 respect you and I know that you're a serious person,
8 I don't want there to be any miscommunication about
9 what's going to happen if we do not retain our
10 accreditation.

11 And so in my judgment, there was -- we had
12 achieved the objective.

13 Q. Okay. The meeting that you had with
14 Yvonne Yancy and several others prior to the
15 suspension of Chief Cochran that occurred -- I
16 believe you testified a couple of weeks prior to his
17 suspension.

18 A. It did. I said within 14 days, within
19 two weeks.

20 Q. Okay. What -- did you have any
21 conversations in that meeting that were not
22 attorney-client privileged?

23 A. I don't know. I haven't practiced law in
24 seven years, so I'm not going to guess at it. I did
25 receive a very strong counsel that we were in real

1 jeopardy around Title 7 claims if we did not at least
2 investigate.

3 Q. Okay.

4 A. And those pieces of advice came from the
5 human resources function and the law -- law function.

6 Q. All right. Is -- you needed to do an
7 investigation to figure out exactly what happened; is
8 that right?

9 A. (Witness nods head affirmatively.)

10 Q. And so -- is it the usual process to
11 suspend an employee while an investigation is going
12 on?

13 A. The answer is yes.

14 Q. Have you done that --

15 A. In a leadership -- in a leadership role.

16 Q. Have you done that in the past during your
17 administration as a mayor?

18 A. I believe that I have.

19 Q. With whom?

20 A. I don't recall.

21 Q. Did -- is the usual process to suspend
22 them without pay?

23 A. I don't recall. I mean, I'm going to be
24 very cautious around using the "usual process." This
25 process wasn't usual --

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1 Q. Okay.

2 A. -- in almost any respect.

3 I mean, this process -- number one, there
4 was a book that was written without my permission,
5 that I was never -- it was not discussed with me.
6 There was -- there is a -- there was dollars that
7 were earned. There was no opinion given in writing
8 by our ethics officer. There were people who were
9 complaining and saying that they had received this
10 book.

11 The Anti-Defamation League came to my
12 office to meet with me regarding the matter that
13 we're discussing. So I think to say it was usual, it
14 wasn't usual.

15 This is the advice that I was getting from
16 people who have positions of responsibility, and the
17 advice was very forceful. I actually restrained it.

18 The majority opinion among my team was
19 that once -- this offense was very serious and needed
20 to be acted on immediately. I pushed back. I said,
21 we need to take our time and we need to respect the
22 chief's career, and so we did an investigation.

23 Q. Why was he suspended without pay?

24 A. He was suspended without pay because, in
25 my opinion, writing a book and earning money off of

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1 it, which we knew pretty quickly, was completely
2 inappropriate and wrong. And at no time did my chief
3 of -- at fire and rescue come in my office and sit
4 down and have an in-person conversation and say, I am
5 writing a book and I would like you to support me.

6 And a passing "I wrote a book that I'd
7 love for you to read" doesn't cut it when you're
8 responsible for a fire department that has
9 responsibility for 150,000 people's lives.

10 And it should not have been a vacation.
11 And the only way that it's not a vacation is that if
12 you're not compensated during that month.

13 Q. So that was -- that was part of the reason
14 why he was suspended without pay, was that he didn't
15 check with you first?

16 A. The reason -- no. The reason that
17 he -- I'm a human being with feelings. He was
18 suspended because he wrote a book without getting an
19 opinion from our ethics officer in writing. I don't
20 believe that that required extraordinary judgment or
21 additional steps. And then he passed the book out.

22 Now, I don't know whether he was paid or
23 gave the book freely. I don't know. But if you are
24 the head of a department with a thousand people, if
25 they feel pressured to accept a book that cost \$10 or

1 \$20, that's real money.

2 Q. Did --

3 A. So I have no -- no, but I have no idea
4 whether he charged people for the book or not. But
5 in my opinion, I shouldn't have to be figuring this
6 out for my fire chief.

7 Q. Would it have mattered if he charged or
8 gave it away?

9 A. I'm not going to give you -- I'm not going
10 to address that, whether it would have mattered.
11 What I know is, I felt it inappropriate for the chief
12 of the fire department for the City of Atlanta to be
13 passing out a book that they authored to make money
14 off of and to gain a profit.

15 Q. You mentioned that you spoke with the ADL.
16 Was that prior to his suspension?

17 A. I don't remember the exact date, but the
18 local office of the ADL came to meet with me about
19 how offensive they found this book. I was just
20 citing it as an example.

21 Q. Okay.

22 A. What I'm laying out is, there was a need
23 for an investigation in a calm space. That's what
24 I'm getting at. The advice that I received from law
25 and from HR, the concerns that I had heard from

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1 counsel, the fact that other people in the fire
2 department had gotten the book, I didn't know whether
3 he had given it to them or charged for it, there are
4 a number of facts.

5 I couldn't make a decision on someone's
6 career without having a factual investigation. And I
7 was not going to have an investigation during the
8 time and be paying for it. I just wasn't going to do
9 that.

10 Q. The concern about him not talking with you
11 first, is that based upon any kind of policy or is
12 that just a practice?

13 A. No. It's based upon professional
14 courtesy, being a colleague.

15 Q. Would that -- what would that have looked
16 like? Would he have made an appointment through
17 Mr. Geisler?

18 A. He could have made an appointment through
19 Mr. Geisler. He could have made an appointment
20 through my chief of staff.

21 Q. Up to the point where he was --
22 before -- let me strike that.

23 Before November 24th, 2014, was
24 there -- were there any articles in the press or was
25 there anything that you were aware of in the media

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1 about this issue?

2 A. None that I was aware of.

3 MR. THERIOT: You -- let's have this
4 marked as Plaintiff's Exhibit 10.

5 (Exhibit 10 was marked for
6 identification.)

7 BY MR. THERIOT:

8 Q. Mayor, this is a printout of your Facebook
9 page.

10 A. Uh-huh.

11 Q. Let's talk a little -- before I get into
12 specifics, let's talk a little bit about the page
13 itself. This is -- this is a page that is part
14 of -- that you use to communicate as part of your
15 responsibilities as the mayor; is that right?

16 A. I do. I use it to communicate with my
17 constituents.

18 Q. Okay. How do you determine what's posted
19 on the page?

20 A. I think that you discuss issues that you
21 believe are of import to the city and to the
22 community.

23 Q. Practically speaking, is there someone who
24 actually does these entries or do you do them
25 yourself?

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1 A. It is a blend. Some are done by me and
2 some are done by the communications team.

3 Q. Who heads up the communications team?

4 A. A woman named Anne Torres.

5 Q. And she headed it up during the events of
6 this process?

7 A. I believe so. It would be Anne Torres or
8 Sonji Jacobs, one of the two.

9 Q. So this -- there's a -- if you look at the
10 second page of Exhibit 10, there's a post there dated
11 November 24th, 2'14 -- 2014. What made you decide to
12 post this on Facebook?

13 A. Because there was a number -- a
14 significant amount of differing opinion on the
15 decision, on the decision for him to be suspended.

16 Q. That differing opinion among whom?

17 A. I think the public was concerned about
18 what was going on.

19 Q. How did they find out about his
20 suspension?

21 A. They found out about his suspension
22 because it was covered by the press.

23 Q. And do you know how the press found out
24 about it?

25 A. I don't recall.

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1 Q. So this, on November 24th, the day he was
2 suspended, was in response to some press that
3 occurred that day?

4 A. I don't recall what it was in response to.

5 Q. You say that, "I was surprised and
6 disappointed to learn of this book on Friday."

7 So it's your testimony that he -- that was
8 the first time you were aware of the book, was the
9 Friday before November 24th?

10 A. I testified --

11 MR. GEVERTZ: Object to the form.

12 THE WITNESS: -- that the first time
13 that I learned of the book was when
14 Yvonne Yancy walked in my office and talked
15 to me about it on whatever that day was, so
16 I'm not going to guess on the dates.

17 BY MR. THERIOT:

18 Q. All right.

19 A. But this is consistent with my testimony.
20 But I did not -- what I know is, is that the person
21 that walked in my office with the book with
22 highlighted sections was Yvonne Yancy. After I met
23 with Yvonne, I received a telephone call from
24 Councilmember Alex Wan. So that -- those were the
25 series of events that made me aware of this book.

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1 Q. And there was a time during a meeting
2 where he may have mentioned it, but you didn't know
3 about the content; is that right?

4 A. There was.

5 Q. Okay. All right. And you say, "I
6 profoundly disagree with and am deeply disturbed by
7 the sentiments expressed in the paperback regarding
8 the LGBT community."

9 What specific sentiments were you
10 referring to?

11 A. I didn't agree with the provisions -- with
12 some of the provisions that were highlighted and
13 shown to me by Yvonne Yancy.

14 Q. Was it -- let's go back and look at
15 Exhibit Number -- the excerpts of the book. Let's
16 see. It's the one that looks like this in a -- I
17 apologize. Yes, there it is.

18 A. Is it --

19 Q. Yeah, Exhibit Number 8.

20 A. Okay.

21 Q. So if you would turn to page 82, please,
22 of that exhibit.

23 A. Okay.

24 Q. All right. If you look down, there's
25 a -- it's grayed out there. Can you read that? And

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1 if you can't, I can -- I can --

2 A. Uh-huh.

3 Q. Okay. Is that the provision that you're
4 speaking about regarding the LGBT community?

5 A. It may be, but -- because I didn't read
6 the book. What I did was to look at the highlighted
7 sections.

8 Q. Okay.

9 A. But that provision is offensive to me.

10 Q. Okay. And you -- you say you "profoundly
11 disagree" with it. What is it about it that you
12 disagree with?

13 A. What I disagreed with was a book being
14 published by a member of my cabinet for profit
15 without the approval of the ethics board and without
16 me having knowledge of it.

17 Q. But the Facebook post says that, "I
18 profoundly disagree...and am deeply disturbed by the
19 sentiments expressed in the paperback."

20 So what sentiments in the paperback were
21 you concerned about? Was this one of them?

22 A. This was among them.

23 Q. Okay. And what was it that you disagree
24 with regarding this particular sentiment on page 82?

25 A. I don't -- first of all, I don't agree

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1 with the comments around homosexuality. And there
2 were other parts of the book that I thought were
3 insensitive to women. And there were other parts of
4 the book that I thought were insensitive to Jewish
5 people. But I'm not -- I cannot tell you what was in
6 my mind as I sit here in 2017, three years later, so
7 that was it.

8 Q. So this -- but this was one of the
9 things -- or you're saying could have been one of the
10 things you disagreed with?

11 A. It certainly could have.

12 Q. All right. And the -- was the reason why
13 you disagreed with it because you think that
14 it's -- that that definition of uncleanness is wrong?

15 MR. GEVERTZ: Object to the form.

16 THE WITNESS: I think it's
17 inappropriate for a member of the cabinet
18 to use their title as chief of the Atlanta
19 Fire and Rescue to sell a book to make a
20 profit without getting written approval
21 from the ethics board and having a
22 conversation with me as a member of my
23 cabinet.

24 BY MR. THERIOT:

25 Q. I understand that. But that's not what

1 I'm asking you.

2 A. I understand, but --

3 Q. What I'm asking you is, what you meant by
4 that -- "sentiments" in the Facebook post?

5 MR. GEVERTZ: Objection. Asked and
6 answered.

7 THE WITNESS: And I'm telling you
8 that I don't agree with some of these
9 sentiments and I'm not going to go back
10 three years later and tell you what
11 comments that were highlighted and pointed
12 out reflected what I wrote at that moment.

13 The writing -- the document speaks
14 for itself, and I'm not going to
15 second-guess what I wrote three years ago
16 and make up some thinking about what I
17 wrote sitting here in this conference room
18 today.

19 BY MR. THERIOT:

20 Q. Well, it says -- it also says in a
21 couple -- if you look back at -- I'm sorry -- at
22 Plaintiff's Exhibit Number 10. It says, "I want to
23 be clear" -- I'm sorry, I'm getting ahead of you.

24 A. Plaintiff's Exhibit 10?

25 Q. Ten. It's the Facebook post.

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1 A. Okay.

2 Q. "I want to be clear that the material in
3 Chief Cochran's book is not representative of my
4 personal beliefs."

5 What personal beliefs are you speaking of?

6 A. The beliefs that demean women, demean
7 Jewish people, and demean homosexual people.

8 Q. And so we talked about on page 82 of
9 Exhibit Number 8.

10 A. Uh-huh.

11 Q. And that -- in your mind, you disagree
12 with that because it demeans Jewish, gay and lesbian
13 people?

14 MR. GEVERTZ: Object to the form.

15 THE WITNESS: That is among the
16 statements in this book that I believe
17 demean homosexual people --

18 BY MR. THERIOT:

19 Q. All right.

20 A. -- and -- and Jewish people and women.

21 Q. On page 31 of Exhibit Number 8, if you'd
22 look down at the bottom, it's grayed out, it begins
23 with, "Jewish leaders had made up their mind that the
24 message of righteousness by faith through grace was a
25 message of heresy."

1 Is -- is that one of the provisions you
2 say demeans Jewish people?

3 MR. GEVERTZ: Object to the form.

4 Asked and answered.

5 MR. THERIOT: Well, I haven't asked
6 about --

7 MR. GEVERTZ: No.

8 THE WITNESS: I mean --

9 MR. GEVERTZ: You're probably right.
10 But the problem is we're retreading the
11 same explanation.

12 THE WITNESS: What I -- what I've
13 said today and what I believed at the time
14 was, the highlighted portions of the book,
15 which I reviewed, were offensive to broad
16 categories of people, including Jewish
17 people, women and homosexuals. And this
18 comment that's made about Jewish leaders
19 really is a timeworn method of being
20 anti-Semitic.

21 So you can read this statement today
22 and make it sound like it is a pure,
23 innocent statement, but this is also a
24 statement that has been used by others
25 basically to make the point that Jewish

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1 people were behind the death of Christ,
2 which may be factually and historically
3 correct, but it -- it leans into a stream
4 of thought that goes into places that are
5 negative for me.

6 MR. THERIOT: There was -- just a
7 second.

8 THE WITNESS: I'm going to let you
9 organize the exhibits so I don't lose
10 track.

11 MR. THERIOT: All right. We're going
12 to mark this as Plaintiff's Exhibit
13 Number 11.

14 (Exhibit 11 was marked for
15 identification.)

16 THE WITNESS: Thank you.

17 BY MR. THERIOT:

18 Q. Mayor Reed, I'm handing you what's been
19 marked as Plaintiff's Exhibit Number 11. This is a
20 copy -- I'll represent to you this is a copy of the
21 book. And on page 76 -- 70 --

22 MS. HALLOCK: 47?

23 BY MR. THERIOT:

24 Q. -- 47, excuse me, page 47 --

25 A. Yes.

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1 Q. Yeah, if you look at the -- on the top of
2 page 47, it says, "Ever wondered what would have
3 happened if Eve would have said, 'You need to talk to
4 my husband'? What if she would have said, 'Do I know
5 you? Who are you? Why would I listen to you, I
6 don't know you?'"

7 Is that the provision you're talking about
8 that could be demeaning to women?

9 A. That could be demeaning to women, but
10 that's not the provision that I'm -- that I'm telling
11 you was in my mind when I wrote my Facebook page.
12 I'm not going to try to recreate what I was thinking
13 when I did my Facebook post.

14 Q. But there were some things that you
15 disagreed with in the book?

16 A. Yes, there were.

17 Q. And the basis of that disagreement
18 was -- was that based on your religious convictions?

19 A. The basis of the disagreement was the fact
20 that a member of my cabinet wrote a book for sale
21 without authorization, and did not have one
22 conversation with me to tell me about it. And I
23 don't mean a passing comment that they were working
24 on a book.

25 There's a clear process that was in

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1 writing by a cabinet member. If a person's going to
2 write a book to make a profit, they could have walked
3 down to the office of ethics and found out how to do
4 that. This is a person who's responsible for the
5 lives of a thousand men and women, and if there's a
6 major fire or a tragedy in the City of Atlanta, he
7 has responsibility under my direction and in
8 cooperation with me in dealing with that.

9 And I don't know why you would
10 choose -- he didn't write the book when he worked for
11 the United States government, when he worked for the
12 president. He didn't write the book when he worked
13 for Shirley Franklin. Why would you choose to write
14 a book and not get authorization?

15 Now, I'm not going to lie to you and tell
16 you that it was not offensive to me, given the
17 support that I had given to him.

18 You know, you all have represented this as
19 a one-way street. Kelvin Cochran called me. I
20 didn't call him. He called me and said, I want to
21 come home. I then met with him, treated him with
22 dignity and respect. He went through a process. He
23 was selected in that process.

24 I provided more resources to him than any
25 fire chief who had his job before. When he was in a

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1 bad spot, whether you all want to acknowledge it or
2 not, I fully supported him.

3 And he concluded that he could write a
4 book with content that would clearly be offensive to
5 some without getting an approval and make a profit.
6 That's unacceptable to me. And personally I feel
7 that it was wrong that he didn't have a sit-down with
8 me. That's it.

9 Q. Those are the personal beliefs you're
10 talking about there at the bottom of --

11 MR. GEVERTZ: Objection to the form.

12 THE WITNESS: I have told you
13 regarding my personal beliefs. I am not
14 going to go back and tell you what I was
15 thinking in 2014 when these comments were
16 reviewed.

17 I told you that I reviewed the
18 highlighted portions of the book, that they
19 offended me. I said that, and that I
20 thought an investigation should occur.

21 But I'm not going to fast forward
22 under oath and tell you the paragraphs that
23 were offensive to me in hindsight. I'm not
24 going to -- I'm not going to play that game
25 with you.

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1 BY MR. THERIOT:

2 Q. But you were offended by some of the
3 sentiments?

4 A. I was. I was offended by comments that I
5 thought were offensive to Jewish people, women, and
6 homosexual people.

7 Q. Based upon your beliefs.

8 A. Based upon my beliefs.

9 Q. Now, the response to the book -- I'm
10 sorry, strike that.

11 The response -- what was the response to
12 your Facebook post? And -- and I'm not trying to
13 hide anything.

14 A. I don't know what the response to the
15 Facebook post was.

16 Q. Well, if you look -- I was just going
17 to -- if you look at Number 10 at the bottom, there
18 were some responses.

19 A. Do you see the Facebook post?

20 Q. I'm sorry.

21 A. Plaintiff's Exhibit Number 10?

22 Q. There it is.

23 A. Okay.

24 Q. If you look at the bottom there, there's a
25 comment from Steve Erwin and a comment from

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1 Kevin Sandlin dated November 24th. They responded
2 right away to your Facebook post on the
3 November 24th; is that correct?

4 MR. GEVERTZ: Object to the form.

5 THE WITNESS: It appears so.

6 BY MR. THERIOT:

7 Q. Okay. And -- and they expressed
8 disagreement with your post; isn't that right?

9 A. It appears so.

10 MR. GEVERTZ: Object to the form.

11 BY MR. THERIOT:

12 Q. Were there any other responses that you're
13 aware of, other than on your Facebook page, to your
14 Facebook post?

15 A. I don't know.

16 Q. Not that you're aware of?

17 A. Not that I'm aware of. But, I mean, you
18 can't possibly mean responses in general, because
19 during the course of this, I received more than -- we
20 stopped counting at 10,000 e-mails.

21 Q. And those began when?

22 A. They began between the date that he was
23 suspended and the date that he was terminated.

24 Q. Okay.

25 A. And I have been in politics long enough to

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1 know that they were manufactured. I believed it the
2 minute that we started getting e-mails that read
3 almost exactly the same.

4 Q. That -- was that the -- the basis of your
5 statement they were manufactured is the e-mails were
6 essentially the same?

7 A. They were very similar.

8 Q. Okay. Any other thing that indicated they
9 were manufactured?

10 A. No, not that I can think of right now.

11 Q. Was there any indication that you are
12 aware of that -- who was behind the manufacturing of
13 the e-mails and the texts?

14 A. No. I mean, I did not know it verifiably
15 until we got the document showing that Chief Cochran
16 was -- was a part of an effort to stimulate comment
17 towards me and my family.

18 Q. When did you get that document?

19 A. I only learned of the document during the
20 course of discovery, but I had a strong suspicion
21 that Chief Cochran was coordinating with members from
22 certain communities that didn't agree with the
23 judgment that I made to communicate their displeasure
24 to that.

25 Q. What was that suspension based upon?

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1 A. My suspicion was that -- it was based upon
2 my instinct and a person who's been in politics for
3 almost 20 years, that the opposition was coordinated
4 and manufactured.

5 Q. What was your -- why did you think that
6 Chief Cochran was involved in that coordination?

7 A. Because I watched his behavior. He went
8 out, after -- after we made it very clear that during
9 the course of this investigation related to your
10 employment that you should not comment on issues
11 related to your employment, he went out and gave
12 public speeches that were covered by the press that I
13 thought inflamed a certain part of the community.

14 Q. What did he say in those public speeches
15 that concerned you?

16 A. I don't recall.

17 Q. Anything that specifically had to do with
18 your behavior?

19 A. I don't recall. I just said that I didn't
20 recall. I do remember the media reports and I do
21 remember being shocked that after communicating that
22 he should not discuss issues related to employment,
23 that he was in public forums discussing it.

24 And then shortly after being in those
25 public forums, we were inundated with electronic

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1 communications and calls to my home throughout the
2 holidays, included death threats, including calling
3 me the anti-Christ, including calling me a nigger and
4 other inflammatory comments that we got by the
5 thousands.

6 Q. How did those -- how did you receive
7 those? Were they texts, did you say?

8 A. No. I said that they were e-mails.

9 Q. E-mails?

10 A. More than --

11 Q. To which account?

12 A. To my city hall account. And phone calls
13 to my home.

14 Q. Phone calls to your home.

15 A. Phone calls to my home.

16 Q. Any idea how they got your home phone
17 number?

18 A. I have no idea.

19 MR. GEVERTZ: For the record, we
20 produced those 17,000 e-mails. I think
21 you've seen them.

22 THE WITNESS: We stopped counting at
23 10,000.

24 BY MR. THERIOT:

25 Q. Did you make any public statements during

1 the time of his suspension?

2 A. None that I recall.

3 Q. Other than the Facebook statement?

4 A. I would have to review the record. I
5 don't recall. I know that we had a press conference
6 after the event, because when you -- when you suspend
7 a person who is high profile as the chief of your
8 fire department, there is a role to play in assuring
9 the public that the fire department is going to
10 continue to run and operate.

11 And so the comments that I made reflected
12 the reality that we had to explain where the fire
13 chief was going to be for 30 days. I know you've got
14 important litigation, but I have a city to run. And
15 there was a role as mayor of the City of Atlanta of
16 letting the public know that we had an issue, that
17 the issue was being investigated, but that if you
18 call the fire department, we were going to continue
19 to respond.

20 Q. Did you respond to any of the Facebook
21 posts?

22 A. I don't recall.

23 Q. Okay. Are you aware of any other books
24 that Chief Cochran wrote?

25 A. I'm not aware. I was made aware in my

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1 deposition preparation that he'd -- he had written
2 another book. I haven't seen it.

3 Q. But that was the first time you became
4 aware of that?

5 A. Yes.

6 Q. In Plaintiff's Exhibit 10 -- yes, that's
7 it right there.

8 A. Okay.

9 Q. It says in the second paragraph of the
10 second page there that -- I'm sorry, it says in
11 the -- about the fourth paragraph down before the
12 comments, it says, "...and is inconsistent with the
13 administration's work to make Atlanta a more
14 welcoming city for all her citizens."

15 Is there any particular work that you were
16 referring to?

17 A. The work that we -- Atlanta has a
18 tradition of being a welcoming city, and I think that
19 since the time that the City of Atlanta worked
20 through issues related to the civil rights movement
21 to the present, it is a very important part of our
22 character that we be welcoming to all people. And a
23 book that had comments that were offensive to Jewish
24 people and women and homosexuals is inconsistent with
25 our reputation, in my opinion.

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1 Q. If you'd look at Plaintiff's Exhibit
2 Number 8, page 80 -- back to 82.

3 A. 82.

4 Q. Do you believe that any of the other
5 things listed on that page are considered sinful by
6 the Bible?

7 MR. GEVERTZ: I'm going to object,
8 and I'm trying to weigh whether or not I
9 need to file a motion for protective order
10 on this. I'm -- I'm prepared to instruct
11 the witness not to answer that question and
12 file a --

13 MR. THERIOT: What's the basis? I
14 mean, what's the basis?

15 MR. GEVERTZ: Invasive and harassing.

16 MR. THERIOT: He has said that the
17 beliefs -- the reason why -- that he
18 disagrees with the beliefs expressed in the
19 book, and so I'm trying to ascertain what
20 those beliefs are.

21 MR. GEVERTZ: Yeah. But it doesn't
22 leave him open to an examination of all of
23 his religious precepts.

24 BY MR. THERIOT:

25 Q. And I'm -- I am not wanting to get into an

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1 examination of all your religious precepts. What
2 I'm -- what I'm looking for is, is what exactly about
3 the book do you -- that is not your beliefs and that
4 you disagree with?

5 MR. GEVERTZ: Currently or in 2014?

6 Because I think with respect to 2014, at
7 least seven times today, he's given you the
8 same answer.

9 THE WITNESS: Well, what I've said
10 is, is in 2014, I'm not going to recall the
11 elements that were -- I'm not going to
12 pretend like today I remember every single
13 provision that was offensive to me.

14 BY MR. THERIOT:

15 Q. Have your beliefs changed since 2014?

16 A. Some have.

17 Q. Have the beliefs regarding, for instance,
18 what the Bible has to say about homosexuality changed
19 since 2014?

20 A. It has.

21 Q. It has? How has it changed?

22 A. I believe that Christianity and God have
23 room to care about all of His people, and I believe
24 that the Bible and your faith experience has to be
25 viewed in its entirety. And I think that the God

1 that I worship would not turn His back on any of His
2 people, and I think all -- everyone is a child of God
3 worthy of redemption.

4 And so the place that I moved from was a
5 place that was -- that believed one thing, certainly
6 around homosexuality, to a broader understanding
7 after an enormous amount of personal soul searching
8 and spending time with my Bible.

9 And the view that I came to is, is that
10 the God that I worship and love would not set forth a
11 path that didn't allow people who I think were born a
12 certain way not to be embraced by our entire
13 community. So that's where I ended up.

14 Q. When did that start, that change?

15 A. I think candidly, Counselor, it was a long
16 time, really over a five- to seven-year period after
17 talking through the issue with people that I respect
18 and with really primarily my chief of staff, who I've
19 known since I was a law school student.

20 Q. Who is your chief of staff?

21 A. A woman named Candace Byrd.

22 Q. And I appreciate you sharing that.

23 What about your beliefs regarding same-sex
24 marriage, have those changed since 2014 also?

25 A. They have.

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1 Q. How have they changed?

2 A. They changed from believing that being a
3 person who was homosexual could not enjoy the full
4 faith and embrace of God to the fact that a person
5 who is a homosexual could still be whole in Christ.

6 Q. And that would include being able to get
7 married?

8 A. It would.

9 Q. That -- and that also is over the past
10 five or six years, that change?

11 A. I think seven to eight years would be more
12 accurate.

13 Q. And same prompting of the change as
14 regarding the same-sex marriage as -- that you spoke
15 of with regard to homosexuality?

16 MR. GEVERTZ: Object to the form.

17 THE WITNESS: I mean, I wouldn't
18 characterize it in that fashion. I think
19 it's an overall change that came about over
20 time, that everybody that loves God and
21 loves Jesus is entitled to work out their
22 own faith with their creator.

23 BY MR. THERIOT:

24 Q. I understand.

25 Are there people in the -- well, strike

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1 that. I'll get back -- I'll get to that later. I
2 don't want to get ahead of myself.

3 Does your faith impact your work at the
4 city?

5 A. My faith informs my work at the city.

6 Q. What do you mean by that, "informs"?

7 A. It goes into my judgment and into my
8 thinking.

9 Q. How does it do that?

10 A. I think that it helps to guide the way
11 that I treat people. I think that it is core to my
12 sense of fairness.

13 Q. Did you ever say on the Ryan Cameron show
14 exact -- something that says, I'm covered in Christ
15 and I'll put my Christ up against anybody's Christ?
16 Do you recall saying that?

17 A. Yeah. I have said that.

18 Q. What did you mean by that?

19 A. It means that I am a Christian and no one
20 else's Christianity is more or less than my own.
21 That's what it means. And I pray to God and I
22 worship God and I accept that Jesus Christ is my
23 Savior and I try to live a life that is consistent
24 with that. And nobody else, whether you write a book
25 or all of the rest's Christianity or faith in God is

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1 stronger than mine.

2 Q. Are there other people that work in the
3 executive branch that disagree with your religious
4 beliefs regarding Christianity?

5 A. I don't know because I don't discuss it
6 with them very much except for Candace Byrd, who I
7 discuss my faith in God with all the time.

8 Q. Why is that?

9 A. Because she is the closest person to me
10 who works for me.

11 Q. If there are people -- let's postulate, if
12 there are people in the executive branch who disagree
13 with your religious beliefs, there's no reason why
14 they can't work for you even though they disagree
15 with your beliefs, is there?

16 A. I'm not going to postulate. What I will
17 say is that anybody who works for me has the ability
18 to believe what they believe and worship the God that
19 they want to worship so long as it does not put the
20 city in jeopardy, because my primary role as the
21 leader of Atlanta is to protect Atlanta and to be its
22 primary fiduciary.

23 That's why this matter became concerning,
24 because the initial facts that I saw created a real
25 issue that needed to be investigated. And if an

1 employee brought a complaint that he had received a
2 book with a lot of content related to faith, brought
3 it to the attention of his supervisor and then it was
4 brought to the attention of the human resources
5 department and my office and the law department, and
6 no action was taken, then there were real risks
7 related to liability, and that's why we ordered the
8 investigation of it.

9 Q. Is it your understanding that the person
10 who complained actually went to their supervisor and
11 complained?

12 A. I do not know. What I do know is that
13 when Councilmember Wan contacted me, he said that he
14 had first heard about it from a person that had been
15 given the book. So that said to me that the book had
16 been passed out on city property at the workplace.
17 And those facts alone warrant a review, because if
18 you get those facts and don't do an inquiry, the
19 liability risk increases substantially.

20 Q. Are there policies prohibiting
21 distribution of gifts, like a book, on Atlanta
22 property?

23 A. I don't know. I'm not completely familiar
24 with the City of Atlanta's employment handbook.

25 Q. Not that you are aware of?

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1 A. But I do know -- not that I'm aware of.
2 But I do know that once a supervisor or a manager, a
3 person in a position of authority over another
4 employee is notified, that acts which could, and I
5 emphasize could, constitute discrimination, if those
6 acts aren't at least reviewed and an investigation
7 conducted, then the liability potential rises, and
8 that guided my decision.

9 Q. Part of -- I believe part of -- I can
10 probably dig out the exhibit, but let me see if you
11 can agree with me here in the interest of time. I
12 believe part of the -- what you said regarding the
13 suspension is that Chief Cochran would have to
14 undergo sensitivity training. Does that sound right?

15 A. That was a part of his suspension.

16 Q. Okay. Are there formal classes for
17 sensitivity training that the City of Atlanta has or
18 that the executive branch has?

19 A. There are, and I went through them.

20 Q. And when did -- who teaches those?

21 A. I don't know the name of the instructor.

22 Q. Is it based in the HR department?

23 A. I don't know. But I know that we can get
24 the information from you for human resources -- from
25 human resources.

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1 Q. Ms. Yancy might know the answer to that?

2 A. I believe that she would be able to
3 identify the vendor.

4 Q. Okay. So it's probably a vendor, not an
5 in-house thing?

6 A. It would probably be a vendor. I don't
7 think that we do that in-house.

8 Q. Okay. Is everyone required to take that
9 sensitivity training?

10 A. The answer is no, I believe, but I think
11 that our leaders are.

12 Q. What did you instruct your staff to do
13 while Chief Cochran was suspended?

14 A. Conduct an investigation into the facts.

15 Q. Who did you tell to do that?

16 A. The human resources leader and our city
17 attorney and our COO.

18 Q. So Ms. Yancy, Mr. Godfrey?

19 A. No.

20 Q. Oh.

21 A. I wouldn't have directed Mr. Godfrey.

22 Q. I'm sorry.

23 A. I would direct the city attorney and HR to
24 conduct an investigation, and they would come
25 together and determine how that investigation would

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1 proceed.

2 Q. And that was -- so that was Ms. Yancy,
3 Mr. Geisler and --

4 A. And Ms. Hampton.

5 Q. Ms. Hampton.

6 I'm sorry, Ms. Hampton.

7 MS. HAMPTON: That's okay.

8 BY MR. THERIOT:

9 Q. That was something that you ordered them
10 to do and wasn't somebody else's idea; is that right?

11 A. No, that was a recommendation.

12 Q. A recommendation by your senior team?

13 A. Yes, from the human resources commissioner
14 about the aspects of his suspension.

15 Q. Okay. Do you know who the person was that
16 actually did the investigation?

17 A. I do not.

18 Q. You mentioned you received -- during the
19 investigation and during his suspension you received
20 thousands, I believe you may have said 10,000 --

21 A. You know that I have. You have the
22 documents. You know that 17,000 people contacted me.

23 Q. Right.

24 A. What you don't know is that my phone rang
25 so much that we could not answer it through the

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1 holidays.

2 Q. What was the general import of those?

3 A. I received death threats. I was called a
4 nigger. I was called the anti-Christ. I was called
5 a Muslim. I was called a terrorist.

6 Q. Were there any that were supportive?

7 A. No. No phone calls that were supportive.
8 I don't know about the e-mail support because I
9 stopped reading them. So I stopped reading them, but
10 an analysis of the e-mail will show that they were
11 80/20 in support of Kelvin Cochran's position.

12 Q. Was there one form of communication that
13 was most used?

14 A. I believe I just told you that e-mail was
15 the primary form of communication, my public e-mail,
16 which is listed in the City of Atlanta, and which
17 my -- and my phonebook -- and my personal phone
18 number, which could easily be obtained and shared,
19 and I believe was. So that on my Christmas and my
20 New Year I was being called at my home and being
21 accused of being the anti-Christ and a terrorist and
22 a killer.

23 Q. Whom did you speak with about
24 Chief Cochran during the investigation?

25 A. I don't recall. I didn't really discuss

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1 his investigation very much, so I don't recall who I
2 spoke with.

3 Q. You mentioned that the ADL contacted you.

4 A. They did. They came to my office and met
5 with me.

6 Q. When approximately was that?

7 A. I don't know, but I could find the answer
8 for you.

9 Q. How did -- how did they become aware of
10 the book?

11 MR. GEVERTZ: Object to the form,
12 speculation.

13 THE WITNESS: I don't know how they
14 became aware of the book. I can offer you
15 an opinion, and that would be because of
16 the press coverage around it.

17 BY MR. THERIOT:

18 Q. So you didn't solicit the ADL's opinion
19 about --

20 A. I did not.

21 Q. Did you instruct anybody else to?

22 A. I did not.

23 Q. What time do you need to leave, Mayor?

24 1:15?

25 A. Yeah, that would be great.

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1 MR. THERIOT: Okay. All right.

2 (Exhibit 12 was marked for
3 identification.)

4 THE WITNESS: Thank you.

5 BY MR. THERIOT:

6 Q. Would you please mark this as Plaintiff's
7 Exhibit 12?

8 Mayor Reed, I've handed you what's been
9 marked as Plaintiff's Exhibit 12. It's a
10 December 22nd, 2014 letter to you. Have you read
11 that letter before?

12 A. I have.

13 Q. Was this sent to you after the meeting
14 that you had with ADL or before?

15 A. I believe it was sent after.

16 Q. After?

17 A. But I would have to check the records for
18 accuracy.

19 Q. Okay. So during that meeting, what was
20 said by you to ADL?

21 A. I don't recall what I said to ADL. It was
22 really a meeting out of respect and courtesy for a
23 very important organization that wanted to come in
24 and talk to me about Chief Cochran's suspension, and
25 so the meeting really was to hear from them what

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1 their thinking was, as best I recollect.

2 Q. What did they say? I'm sorry, I
3 interrupted you.

4 A. I don't recall what they said on
5 December 22nd, 2014, three years later.

6 Q. Okay. But --

7 A. They were very concerned -- I mean,
8 generally they were very concerned about the book
9 that had been published and his work as our
10 chief -- as our fire chief.

11 Q. It says, if you look at page 2 of Exhibit
12 Number 12, at the top paragraph about three lines in,
13 the line beginning with "the leadership position."
14 It says, "It is difficult and unreasonable to believe
15 Chief Cochran can check his prejudices at the
16 door" --

17 A. Would you point out where you are?

18 Q. Yeah. I'm sorry.

19 A. Okay. I see it.

20 Q. Right up there. Yeah.

21 A. It says that, "Due to the deep personal
22 sentiments expressed in the book" --

23 Q. Yes.

24 A. -- "and the uncompromising nature in how
25 he presented his beliefs and points of view, the

1 chief has irrevocably compromised his leadership
2 position."

3 Q. Right. And then the next sentence.

4 A. "It is difficult and unreasonable to
5 believe that the chief can check his prejudices at
6 the door and leave the City of Atlanta Fire
7 Department without his decision-making, both overt
8 and covert, being significantly influenced by these
9 beliefs."

10 Q. Okay. Are you aware of any instances
11 where Chief Cochran was unable to check his
12 prejudices at the door?

13 A. I am not aware of any.

14 Q. Were you aware of any at the time this
15 letter was written?

16 A. I was not. But at the time that this
17 letter was written there wasn't a book that was being
18 distributed throughout the City of Atlanta that was
19 written by my fire chief, who did so without
20 authorization.

21 Q. Are you saying the book wasn't distributed
22 at that point?

23 A. I mean that it had not come to the
24 attention in a broad sense.

25 Q. Okay. To -- not -- you're not talking

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1 about at work, you're talking about to the City of
2 Atlanta in general?

3 A. Yes, to the City of Atlanta.

4 Q. Okay. And how would that have affected
5 that, the fact that -- I'm sorry. How would that
6 have affected the ability of Chief Cochran to check
7 his prejudices at the door?

8 A. Well, I think what clearly happened is, is
9 that people that represent important constituencies
10 had an opinion and they had a right to come in and
11 share them with me. And that's what they did.

12 Q. During your meeting did you ask for this
13 letter from the Anti-Defamation League?

14 A. I don't recall. But in many of my
15 meetings with constituent groups, I encouraged them
16 to make their feelings known. So it would not be
17 shocking to me if that occurred, but I don't remember
18 whether or not I asked for the letter or not.

19 Q. Did the letter have any affect on your
20 decision to terminate Chief Cochran?

21 A. No.

22 Q. Did you speak with any other groups during
23 his suspension?

24 A. I don't recall. I'd have to look at my
25 calender.

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1 Q. Did you get any letters from any other
2 groups during his suspension?

3 A. We did receive -- we received so many
4 letters. We received a number of letters.

5 Q. Did you --

6 A. Both for him and against retaining him.

7 Q. Did you speak with any group that was
8 supportive of retaining him?

9 A. I did not. But I would point out that no
10 other group called my office and asked for an
11 appointment in that regard.

12 Q. Did you meet with members of the
13 Elizabeth Baptist Church in December of 2014 about
14 Chief Cochran?

15 A. Not that I recall.

16 Q. Was there a time when an individual from
17 your office approached the members of
18 Elizabeth Baptist Church at a city council meeting
19 and asked to meet with you?

20 A. I don't recall that.

21 MR. THERIOT: Let's mark this as
22 Plaintiff's Exhibit 13.

23 (Exhibit 13 was marked for
24 identification.)

25 THE WITNESS: Thank you. Thank you.

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1 BY MR. THERIOT:

2 Q. Mayor Reed, I've handed you what's been
3 marked Plaintiff's Exhibit Number 13 called an
4 investigative report. Have you seen this document
5 before?

6 A. I may have. I don't -- I mean, I don't
7 recall aside from my deposition preparation.

8 Q. Did you -- so you don't recall reading
9 this, or do you think you did read it?

10 A. I'm familiarizing myself with it now.

11 Q. Okay. Take your time.

12 A. I think that I have seen it before and I
13 have read it before.

14 Q. Okay. Let's see. What am I looking at
15 here? Here we go.

16 Did you read it prior to your decision to
17 terminate Chief Cochran?

18 A. No. I did not read this report prior to
19 my decision, no.

20 Q. Do you recall being surprised by anything
21 in the report?

22 A. I wasn't really surprised by anything in
23 the investigative report. I was disappointed in the
24 fact that he did not get written approval to write
25 the book and that that was confirmed here.

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1 Q. Did you disagree with anything in the
2 report that you recall?

3 A. I can't offer that opinion unless I'm
4 given time to read through the report thoroughly
5 right now and then I can give you my thoughts.
6 It's 20- -- it's February 14th today, 2017, and I'm
7 being presented with a document that's January 9,
8 2015. Do you want to give me time to read it?

9 Q. Yeah. Why don't we do that. I think
10 we've got time.

11 A. That's fine.

12 THE VIDEOGRAPHER: Go off?

13 MR. GEVERTZ: I don't know, I'd leave
14 it on because there's a possibility he may
15 just talk out loud as he's reading it.

16 MR. THERIOT: Yeah. Right.

17 THE WITNESS: I've reviewed the
18 document.

19 BY MR. THERIOT:

20 Q. So I'm going to re-ask the question. Is
21 there anything in the document that was -- is
22 surprising to you now or surprising to you before?

23 A. Yeah. I mean, I recall being stunned at
24 the fact that -- that when a group of individuals
25 took a photograph during the issues related to

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1 Chick-fil-A that they received a 30-day suspension.

2 Q. What was -- what was stunning about that?

3 A. I mean, I just think that a 30-day
4 suspension was -- I felt that then the decision we
5 had made was appropriate.

6 Q. The decision to suspend him?

7 A. Uh-huh. That's what I remember reflecting
8 upon. He -- he had suspended someone -- members of
9 his team. I didn't know about that fact obviously
10 when we suspended him, but aside from that, there was
11 really no new news that came out of the investigation
12 except a clarification around the essential fact that
13 a member of our cabinet who has essential
14 responsibility for our fire department wrote a book
15 for profit and didn't get authorization from the
16 ethics board, from the ethics officer, or me.

17 Q. Did you disagree with anything in the
18 report, Exhibit 13?

19 A. Nothing comes to mind right now.

20 Q. Do you know who wrote it?

21 A. I do not.

22 Q. Did you give that investigative report to
23 anyone else to read?

24 A. I did not.

25 Q. Did you discuss it with anyone?

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1 A. I discussed it with the human resources
2 commissioner and with our law department.

3 Q. Okay. When did you discuss it with the
4 human resources commissioner?

5 A. I don't recall. It would have been
6 between his suspension and between the date that he
7 was terminated.

8 Q. Okay. So you reviewed this prior to the
9 date that he was terminated?

10 MR. GEVERTZ: Object to the form. I
11 just want to make the distinction between
12 knowing about it and reviewing it.

13 THE WITNESS: No, what happened --
14 no, I mean, I can tell you. What happened
15 is --

16 MR. GEVERTZ: Here's my counsel.

17 THE WITNESS: Okay.

18 MR. GEVERTZ: Don't share any of the
19 things that the city attorney may have
20 briefed you about.

21 THE WITNESS: Then I can't comment.

22 MR. GEVERTZ: Okay. Kevin, that's
23 the dynamic.

24 MR. THERIOT: Okay.

25 MR. GEVERTZ: I think he heard about

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1 it before --

2 THE WITNESS: The human resources
3 commissioner and the city attorney came
4 into my office to brief me on the results
5 of the investigation. We had an in-person
6 meeting and they briefed me on the results.
7 They said these are -- this is what we
8 know.

9 But I -- they didn't -- we didn't sit
10 down and they hand me a document and say,
11 let's review the document. So I just
12 described what happened.

13 BY MR. THERIOT:

14 Q. Okay. Did -- so you didn't have any input
15 into this document or edit it?

16 A. I did not. No.

17 Q. Were you -- if you look on page 3 of the
18 document under Roman Numeral Number 3, and first line
19 says, "There is currently no indication that
20 Chief Cochran allowed his religious beliefs to
21 compromise his disciplinary decisions."

22 You -- were you aware of that?

23 A. I was. I was told that. I was told that
24 there weren't specific instances of where we -- of
25 where his faith had in a demonstrable way influenced

1 his decisions at work.

2 Q. You didn't have any reason to disagree
3 with that statement, did you?

4 A. I did not, because I didn't conduct the
5 investigation.

6 Q. And then if you look on page 4 on the very
7 next page, in the second paragraph from the top
8 there, it begins with "No interviewed."

9 A. On page 4? Okay.

10 Q. I believe so.

11 A. Okay.

12 Q. All right. "No interviewed witness could
13 point to a specific instance in which any member of
14 the organization has been treated unfairly by
15 Chief Cochran on the basis of his religious beliefs."

16 You were aware of that too, correct?

17 A. Yeah. I was also aware of the fact that
18 the same report says a number of employees -- number
19 of members of the department and people who work for
20 the city were disgusted with his comments, and that
21 it had affected morale in the department.

22 Q. You don't know the names of those -- any
23 individuals, that they say it's "a number"; is that
24 right?

25 A. That's right. I don't remember the names.

1 But in the same document that you just highlighted
2 they talk about how other individuals had expressed
3 their beliefs, including a lesbian firefighter and
4 retired firefighters and people that work for the
5 city.

6 Q. What do you mean, "expressed their
7 beliefs"? You talking about -- I think you're
8 talking about at the bottom of page 4.

9 A. No. I'll read it for you.

10 On page 3, "There was a consistent
11 sentiment among the witnesses that firefighters
12 throughout the organization are appalled by the
13 sentiments expressed in the book. There is also
14 general agreement the contents of the book have
15 eroded trust and have compromised the ability of the
16 chief to provide leadership in the future."

17 I'm just sharing -- really, balancing your
18 questioning. You pointed out sides that were
19 favorable to your position, but in the same document
20 and in the same report, and what we were hearing in
21 the building, was that his team no longer had
22 confidence in him.

23 Q. You weren't aware of any specific
24 individuals that no longer had confidence in him,
25 were you?

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1 A. No. But I certainly was hearing from
2 people within the fire department anecdotally and as
3 I moved around the City of Atlanta.

4 So what happens as mayor, is people come
5 up and express their opinions all the time on issues,
6 and this issue in the months of December and November
7 was a highly publicized and followed issue.

8 Q. And those -- what opinions did they
9 express to you?

10 A. That he should -- that he couldn't
11 continue to lead the department.

12 Q. Did any of them --

13 A. And some said that he could.

14 Q. Okay.

15 A. So -- so there was -- there was other
16 feedback. It was not -- it was not uniformly
17 negative.

18 Q. Okay. At the bottom of page 4 of
19 Exhibit 13 there's a paragraph beginning with,
20 "Robin Shahar," says that several -- a retiree and
21 another current AFRD employee were contacted, and
22 they said that they were offended, but they never
23 provided "any examples of having experienced
24 Chief Cochran displaying the influence of any of
25 these viewpoints in his professional capacity."

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1 Are you aware of any instance where he
2 displayed the influence of these viewpoints in his
3 professional capacity?

4 A. I was made aware by a person, one of
5 his -- one of the people that worked for him, that he
6 gave his book to, regarding his leadership style.

7 Q. What did they say?

8 A. I don't recall. This was a part of
9 deposition preparation. But as part of my direct
10 knowledge, the answer is no.

11 Q. Okay.

12 A. But that's not why he was terminated.

13 Q. Okay.

14 A. If someone had done this investigation and
15 showed me a letter from the ethics board that granted
16 him approval to write this book, I wouldn't have made
17 the judgment that I made.

18 Q. If he had approval to write the book, you
19 wouldn't have terminated him?

20 A. I would have been less inclined to make
21 the decision that I made.

22 Q. I'm going to -- we've got about
23 15 minutes. I'm going to back up because I missed a
24 couple of things, and I don't want to get out of
25 order. I already am.

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1 Did -- during the investigation, I believe
2 you said you spoke with ADL. Did you speak with any
3 LGBT groups, like the Human Rights Campaign?

4 A. I don't recall.

5 Q. Did you speak with any councilmen?

6 A. I did speak with some members of the
7 council. I don't recall which ones --

8 Q. Do you recall --

9 A. -- except for Alex Wan.

10 Q. Okay. What did Alex Wan say to you, other
11 than the phone conversation that you had that we've
12 already talked about, but during the investigation,
13 did he say anything else to you?

14 A. No.

15 Q. So is that what you were talking about,
16 the conversation that you had with the telephone?

17 A. Yes.

18 Q. The initial telephone conversation?

19 A. Yes.

20 Q. Did Mr. Geisler ever talk to you about
21 Chief Cochran's public statements during the
22 suspension?

23 A. I don't recall.

24 Q. Do you recall him ever saying that
25 Chief Cochran called about making statements?

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1 A. I don't recall.

2 Q. Okay. When did you decide to terminate
3 Chief Cochran?

4 A. I came to that decision sometime in the
5 first ten days of January.

6 Q. Was that a collaborative decision with
7 your senior team?

8 A. Yeah, it was a collaborative decision
9 after the results of the investigation, which were
10 crystal clear that he had violated the path -- or the
11 process for you to write a book and sell it for a
12 profit. And he had not done it. And I did
13 not -- and he no longer had my confidence.

14 Q. And you made that -- you're the one who
15 made that final decision; is that correct?

16 A. I am the one that made that final decision
17 after consultation with our city attorney, the COO,
18 my chief of staff, and the human resources
19 commissioner, that he could not continue with the
20 support of the people that worked for him.

21 Q. Was that at a meeting?

22 A. I don't recall the forum.

23 Q. Okay. So it may not have been a formal
24 meeting where you consulted with all them together,
25 you may have consulted with them individually?

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1 A. It may -- it may have been.

2 Q. Okay. Were you --

3 A. But what I'm being clear about is I made
4 the judgment, I made the decision. But it was -- our
5 decisions around issues like this are generally
6 collaborative.

7 Q. Okay. At the meeting where he was
8 terminated on January 6th, 2015, were you at that?

9 A. I was not.

10 Q. Who was at the meeting?

11 A. I don't know.

12 Q. Who did you instruct to call the meeting?

13 A. The human resources commissioner, the COO
14 and my chief of staff.

15 Q. What did you tell them to say at the
16 meeting?

17 A. I didn't tell them what to say.

18 Q. What did you tell them to do?

19 A. I told them that his employment wouldn't
20 be continued with the city, that he was not going to
21 return from the suspension.

22 Q. Did you tell them that to tell him what
23 the reason was?

24 A. I didn't get into the detail of what -- of
25 how they were going to execute their jobs.

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1 Q. You conducted a press conference on
2 January 6th, 2015; is that correct?

3 A. I believe so.

4 Q. The day he was fired.

5 A. Yes.

6 MR. THERIOT: Let's mark this
7 Plaintiff's 14.

8 (Exhibit 14 was marked for
9 identification.)

10 THE WITNESS: Thank you.

11 BY MR. THERIOT:

12 Q. Mayor Reed, I'm going to represent to you
13 that this is a transcript that my office did
14 on -- after listening to a video of your press
15 conference on January 6th, 2015. I'm not submitting
16 it as evidence. I think it would just help guide our
17 conversation.

18 A. Uh-huh.

19 Q. And I'm going to ask you some questions
20 about it, and then we can go from there. I mean, I
21 guess, if necessary, we can actually listen to the
22 video, but I don't think that will be necessary. I
23 think it will take up a little too much time, but
24 that will be up to you and your counsel, so.

25 I'm trying to decide. Why don't you --

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1 MR. GEVERTZ: You want to take a
2 break and during the break he may or may
3 not have an opportunity to review that?

4 MR. THERIOT: Well, we've got nine
5 minutes. I'm trying to gauge -- if we
6 just -- do you want to just do that?
7 Because I think it's going to be -- why
8 don't we do that. And then I can ask you
9 questions.

10 I know it's a little bit early, but
11 let me just say I think we're doing really
12 well on time. And -- and I think -- I
13 think when you come back, we're going to be
14 able to get through it fairly quickly, so.
15 And I appreciate your cooperation.

16 THE WITNESS: Of course.

17 MR. THERIOT: I think that's in part
18 due to your answers.

19 THE WITNESS: Of course. All right.

20 MR. THERIOT: So let's go off the
21 record.

22 THE VIDEOGRAPHER: This concludes
23 Media Number 2 of the video deposition of
24 Mayor Kasim Reed. We're off the record at
25 1:08 p.m.

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1 (A lunch recess was taken.)

2 THE VIDEOGRAPHER: This begins Media
3 Number 3 in the video deposition of
4 Mayor Kasim Reed. We are back on the
5 record at 3:47 p.m.

6 BY MR. THERIOT:

7 Q. Mayor, this is a continuation of your
8 deposition, and I know you understand you're still
9 under oath.

10 If you would look at -- we finished up
11 talking a little bit about -- or introducing
12 Plaintiff's Exhibit 14.

13 A. Okay.

14 Q. And if you'd just take a look at page 3 of
15 that, there's a -- down towards the bottom it begins
16 with -- it says:

17 "Mayor: I did, Jonathan."

18 Right before it looks like a question from
19 a reporter, but your response is that, "I talked to
20 somewhere between six to eight members of the Atlanta
21 City Council and the opinion was pretty divided with
22 the exception of Chairman Wan."

23 Which of the members did you talk to that
24 indicated that they were in support of keeping
25 Chief Cochran on as the fire chief of Atlanta?

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1 A. That's tough for me to recall today. I
2 think that Councilmember Shook had some favorable
3 comments about him, but it would be tough to recall.

4 Q. Do you remember of the six to eight that
5 you spoke with, how many of them were favorable, how
6 many were not?

7 A. The majority were unfavorable. But folks
8 did acknowledge his work. So generally folks felt
9 that he should move on, but it would be disingenuous
10 to say that folks were not complimentary of his
11 service.

12 Q. I think that's all I have about that one.
13 Are you aware of anyone who had -- that's
14 a poor question. Strike that.

15 Are you aware of any employee in the
16 executive branch who's been disciplined for private
17 use of their cell phone or their e-mail or their
18 computer?

19 A. Not off the top of my head.

20 MR. THERIOT: That may be it.

21 David, can we take a pause just a
22 second?

23 I don't know if Mr. Gevertz has any
24 questions, but hold on. Let me talk to my
25 colleagues.

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1 THE WITNESS: Okay.

2 THE VIDEOGRAPHER: The time is
3 3:50 p.m. We're off the record.

4 (Off the record.)

5 MR. THERIOT: Back on.

6 THE VIDEOGRAPHER: Stand by. The
7 time is 3:50 p.m. We're back on the
8 record.

9 BY MR. THERIOT:

10 Q. My colleague informed me that I may not
11 have been real clear on that question.

12 The question that I tried to ask was, are
13 you aware of anybody who was an executive employee
14 who was disciplined because they used their city
15 e-mail, city phone, or city computer for private use?

16 A. Not that I'm aware of -- or not that I
17 could think of at this moment, not off the top of my
18 head.

19 MR. THERIOT: All right. Anything
20 else?

21 I think that's it. That was actually
22 shorter than I thought it was going to be.

23 THE WITNESS: I appreciate the
24 courtesy of allowing me to attend the
25 wedding, and I apologize for the delay.

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1 MR. THERIOT: You are certainly
2 welcome and it actually worked out okay,
3 and I hope it went well.

4 MR. GEVERTZ: No questions.

5 MR. THERIOT: All right.

6 THE VIDEOGRAPHER: This concludes
7 Media Number 3 in the video deposition of
8 Mayor Kasim Reed on February 14th, 2017.
9 We're off the record at 3:51 p.m.

10 (Deposition was concluded at 3:51 p.m.)

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E R R A T A S H E E T

Pursuant to Rule 30(e) of the Federal Rules of Civil Procedure and/or the Official Code of Georgia Annotated 9-11-30(e) any changes in form or substance which you desire to make to your deposition testimony shall be entered upon the deposition with a statement of the reasons given for making them.

To assist you in making any such corrections, please use the form below. If supplemental or additional pages are necessary, please furnish same and attach them to this errata sheet.

- - -

I, the undersigned, MAYOR KASIM REED, do hereby certify that I have read the foregoing deposition and that to the best of my knowledge said deposition is true and accurate (with the exception of the following corrections listed below).

Page _____ Line _____ should read: _____

Reason for change: _____

Page _____ Line _____ should read: _____

Reason for change: _____

Page _____ Line _____ should read: _____

Reason for change: _____

Page _____ Line _____ should read: _____

Reason for change: _____

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1 Page _____ Line _____ should read: _____

2 Reason for change: _____

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4 Page _____ Line _____ should read: _____

5 Reason for change: _____

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7 Page _____ Line _____ should read: _____

8 Reason for change: _____

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10 Page _____ Line _____ should read: _____

11 Reason for change: _____

12

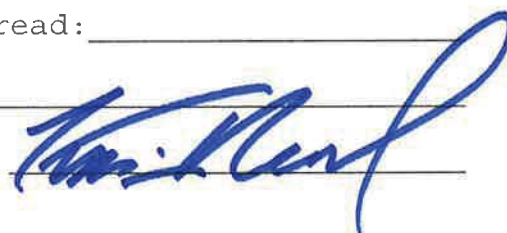
13 Page _____ Line _____ should read: _____

14 Reason for change: _____

15

16 Page _____ Line _____ should read: _____

17 Reason for change: _____

18 Signature 

19 Sworn to and Subscribed before me

20 Karla Johnson Notary Public.

21 This 20th day of March, 2017

22 My Commission Expires: 2/6/21

23

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ESB

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C E R T I F I C A T E

G E O R G I A :
F U L T O N C O U N T Y :

I hereby certify that the foregoing deposition was reported, as stated in the caption, and the questions and answers thereto were reduced to the written page under my direction; that the foregoing pages 1 through 176 represent a true and correct transcript of the evidence given. I further certify that I am not in any way financially interested in the result of said case.

Pursuant to Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:

I am a Georgia Certified Court Reporter. I am here as an independent contractor for Huseby, Inc.

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1 I was contacted by the offices
2 of Huseby, Inc. to provide court reporting
3 services for this deposition. I will not
4 be taking this deposition under any
5 contract that is prohibited by O.C.G.A.
6 15-14-37 (a) or (b).

7 I have no written contract to
8 provide reporting services with any party
9 to the case, any counsel in the case, or
10 any reporter or reporting agency from whom
11 a referral might have been made to cover
12 this deposition. I will charge my usual
13 and customary rates to all parties in the
14 case.

15 This, the 24th day of February, 2017.

16

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19

SUZANNE BEASLEY, B-1184
My commission expires on the
24th day of August, 2018.

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DIVISION 2. STANDARDS OF CONDUCT*

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Sec. 2-801. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agency means any board, bureau, body, commission, committee, department or office of the city, including any joint board to which the council or the mayor has appointment powers.

Business means any corporation, partnership, proprietorship, organization, self-employed individual and any other entity operated for economic gain, whether professional, industrial or commercial, and entities which for purposes of federal income taxation are treated as nonprofit organizations.

Direct ownership, leasehold or option interest in real property means the holding or possession of good legal or rightful title of property or the holding of real or beneficial use of the property by an official or employee, including any interest owned or held by the spouse of the official or employee if such interest is held jointly or as tenants in common.

Confidential information means information which has been obtained in the course of holding public office, employment, an independent contract or otherwise acting as an official or employee, and which information is not available to members of the public under state law or other law or regulation and which the official or employee is not authorized to disclose.



Filing means delivered to the municipal clerk by the end of the designated business day or, if the designated day is not a business day, the first business day thereafter or depositing in the United States mail, properly addressed, with adequate postage affixed, postmarked by the designated day; or any other method of delivery authorized by the board of ethics.

Financial interest means any interest which shall yield, directly or indirectly, a monetary or other material benefit to the official or employee, other than the duly authorized salary or compensation for the official's or employee's services to the city, or to any person employing or retaining the services of the official or employee or to the official's or employee's immediate family.

Gratuity means anything of value given by or received from a prohibited source; provided, however, that the term "gratuity" within the meaning of this division does not include any of the following:

- (1) Payment by the city of salaries, compensation, expenses, or employee benefits; or payment by an employer or business other than the city of salaries, compensation, expenses, or employee benefits or payment of fees for services rendered pursuant to a contract, when the payment is unrelated to the official's or employee's status with the city and is not made for the purpose of influencing, directly or indirectly, the vote, official action or decision of the official or employee; or
- (2) Campaign or political contributions made and reported in accordance with state law; or
- (3) Reasonable meals or refreshments furnished in connection with an official's or employee's appearance in an official capacity at a public, civic, charitable or non-profit ceremony, event, convention or conference whether the sponsor of the event does or does not do business with the city; or
- (4) Hospitality, or meals, extended for a social, charitable, non-profit, convention, conference, or business purpose unrelated to the official business of the city; or
- (5) Reimbursements from non-city sources of reasonable hosting expenses, including travel, meals, and lodging, provided to an official or employee in connection with speaking engagements, participation on professional or civic panels, teaching, or attendance at conferences in an official capacity; provided, however, that receipt of such reimbursements is subject to the reporting requirements governing disclosure of expense reimbursements found at section 2-815; or
- (6) An award, plaque, certificate, memento, novelty or similar item given in recognition of the recipient's civic, charitable, political, professional, or public service; or
- (7) Nominal gifts or other tokens of recognition presented by representatives of governmental bodies or political subdivisions who are acting in their official capacities; or
- (8) Anything of value when the thing of value is offered to the city, is accepted on behalf of the city, and is to remain the property of the city provided that the recipient complies with the provisions governing solicitation found at section 2-818; or
- (9) Commercially reasonable loans made in the ordinary course of the lender's business in accordance with prevailing rates and terms, and which do not discriminate against or in favor of an official or employee because of such individual's status; or
- (10) Anything of value received as a devise, bequest or inheritance; or

- (11) A gift received from the officials' or employees' immediate family or a relative within the third degree of consanguinity under the civil law computation method.

Honorarium means a payment of money or anything of value for any service, including but not limited to an appearance, speech or article, or a series of appearances, speeches, or articles, if the subject matter is related to the official's or employee's official duties or the payment is made because of the official's or employee's status with the city.

Immediate family shall include the spouse, domestic partner registered under section 94-133, mother, father, sister, brother, and natural or adopted children of an official or employee.

Income means any money or item of value in excess of \$5,000.00 received or to be received as a claim on any future services, including but not limited to fees, salaries or commissions.

Official or employee means any person elected or appointed to or employed or retained by the city or any agency, whether paid or unpaid and whether part time or full time. This definition includes retired employees or former city employees during the period of time in which they are later employed or retained by the city or any agency.

Personal interest means any interest arising from relationships with immediate family or from business, partnership or corporate associations, whether or not any financial interest is involved.

Prohibited source means any person, business or entity that an official or employee knows or should know:

- (1) Is seeking official action from the city; or
- (2) Is seeking to do or does business with the city; or
- (3) Represents a client who meets the definitions in subparagraphs (1) or (2) above; or
- (4) Has interests that may be substantially affected by performance or non-performance of the official's or employee's official duties; or
- (5) Is a registered lobbyist in accordance with state law.

Public entity means any office, agency, authority, department, commission, board, division, institution or other instrumentality of the state or any other state in the United States of America, local government, special purpose district, or the federal government of the United States of America.

(Code 1977, § 18-2001; Ord. No. 2002-27, § 1, 4-10-02; Ord. No. 2006-48, § 1, 7-25-06; Ord. No. 2016-39(16-O-1550), § 1, 11-16-16)

Cross reference(s)--Definitions generally, § 1-2.

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Sec. 2-802. Purpose.

It is the purpose of this division to promote the objective of protecting the integrity of the government of the city by prohibiting any official or employee from engaging in any business, employment or transactions, from rendering services or from having contractual, financial, or personal interests, direct or indirect, which are in conflict with or which would create the justifiable impression in the public of conflict with the proper discharge of the official or employee's official duties or the best interest of the city or which would tend to impair independence or objectivity of

judgment or action in the performance of official duties. It is also the purpose of this division to require disclosure of the assets and income of elected officials and certain employees so that the public may review actual and potential conflicts of interest. Finally, it is the purpose of this division to provide for an orderly and fair process for raising and addressing ethical questions and for disciplining those officials and employees and other persons who violate these standards of conduct.

(Code 1977, § 18-2002; Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-803. Reporting violations.

Any person who witnesses or becomes aware of a violation of this division may complaint of that violation as follows:

- (1) By appearing before a judge of the municipal court, the city solicitor or the solicitor's assistant and swearing out a complaint for the violation. Upon signing the complaint, under oath, a warrant may be issued by the municipal court for the accused to appear and answer the charges; or
- (2) By communicating with the ethics officer. Where a complaint is communicated anonymously to the ethics officer, such complaint shall be made in good faith, and with veracity and sufficient specificity so as to provide the ethics officer with salient and investigable facts. The ethics officer may require the anonymous complaint to be made in a manner and form that is intended only to obtain relevant facts related to the alleged violation of this division, and that is not designed to reveal the identity of the complainant; or
- (3) By filing a sworn written complaint with the ethics officer or the board of ethics, as described in this division. All written complaints to be considered by the board of ethics and the ethics officer shall contain the following if applicable:
 - a. The name and address of the person or persons who file the complaint.
 - b. The sworn verification and signature of the complainant.
 - c. The name and address of the party or parties against whom the complaint is filed, and if such party is a candidate and the office being sought.
 - d. A clear and concise statement of acts upon which the complaint is based along with an allegation that such facts constitute one or more violations of law under the jurisdiction of the board of ethics.
 - e. A general reference to the statutory provision(s) of the Code within the jurisdiction of the board of ethics allegedly violated.
 - f. Any further information which might support the allegations in the complaint including, but not limited to, the following:
 1. The name and address of all other persons who have firsthand knowledge of the facts alleged in the complaint; and
 2. Any documentary evidence that supports the facts alleged in the complaint.
- (4) Preliminary action on complaint. Upon receipt of a complaint whether by the ethics officer or by the ethics board, the ethics officer or the secretary of the ethics board shall send a written

notice to the subject of the complaint by the next business day. Both this notice and any subsequent documents are subject to the Georgia Open Records Act.

- (5) Defective complaint. Upon receipt of a written, non-anonymous complaint which does not conform to the applicable requirements of paragraph (3) of this section, the ethics officer shall by letter acknowledge receipt of the complaint and advise complainant of the defect in the complaint and that the complaint will not be considered by the board of ethics unless the defect is corrected.

(Ord. No. 2002-27, § 1, 4-10-02; Ord. No. 2002-44, § 1, 5-28-02)

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Sec. 2-804. Board of ethics.

(a) There is hereby continued in existence a board of ethics to consist of seven members, all of whom shall be known for their personal integrity and all of whom shall be residents of and domiciled in the city. It is further urged that the members of the board of ethics shall reflect the diversity of the city with regard to race, color, creed, religion, gender, marital status, parental status, familial status, sexual orientation, national origin, gender identity, age and disability. The new board of ethics shall come into existence as set forth in delayed effect of 2002 amendment found at section 2-824 of this division.

(b) The members of the board of ethics shall be selected as follows:

- (1) One member shall be selected by the Atlanta Bar Association, chosen from the attorney members of the association;
- (2) One member shall be selected by the Gate City Bar Association, chosen from the attorney members of the association;
- (3) One member shall be selected by the Atlanta Business League, chosen from the organizations that are members of the league, which member shall not be an attorney;
- (4) One member shall be selected by the Metro Atlanta Chamber of Commerce from the organizations that are members of the chamber, which member shall not be an attorney;
- (5) One member shall be selected by the Atlanta-Fulton County League of Women Voters, which member shall not be an attorney.
- (6) One member shall be selected by the Atlanta Planning Advisory Board, which member shall not be an attorney nor an officer of a neighborhood planning unit.
- (7) One member shall be selected by the six major universities/colleges within the city (Georgia State University, Georgia Institute of Technology, Clark Atlanta University, Morehouse College, Morris Brown College, and Spelman College).

(c) The members shall each serve for terms of three years; provided, however, that the initial terms of the first Metro Atlanta Chamber of Commerce appointee, the first Atlanta Business League and the first University/College appointee shall be two years, and the initial term of the first Atlanta Planning Advisory Board appointee and Atlanta-Fulton County League of Women Voters appointee shall be one year. Members shall serve without compensation. The members shall elect a chair and develop their own organization internally.

(d) The position of a member of the board shall be deemed vacated:

- (1) Upon the expiration of his or her term;
- (2) Upon the death of a member or the disability or incapacity of a member for more than 90 days;
- (3) Upon the written resignation of the member, when accepted by the nominating party. A resignation tendered for more than 30 days shall be deemed accepted;
- (4) By the member ceasing to be a resident of the city; or
- (5) Upon removal of the member for good cause by a majority vote of the board of ethics;
- (6) New members shall be identified and their names submitted to the municipal clerk within 30 days of the date on which a vacancy in a board position occurs. The municipal clerk will sound their names at the next regularly scheduled council meeting. Nominees for the board of ethics and ethics officer shall be subject to an education and employment background check as well as a criminal history check. Nominees shall execute all releases necessary for the department of personnel and human resources and the department of police to accomplish the same. If the nominee is determined to have committed a felony, the nomination shall be withdrawn.

(e) Members shall be prohibited from engaging in city election political activities and from making campaign contributions to candidates in city elections during their terms as board members. Violations of this subsection may be punished by removal from board membership by a majority vote of the members.

(f) The board of ethics shall:

- (1) Elect a chair by majority vote of the serving members. Each chair will serve a one-year term and shall be eligible to serve as chair in successive years.
- (2) Elect a vice-chair to preside in the absence of the chair. The vice-chair will serve a one-year term and shall be eligible to serve as vice-chair in successive years.
- (3) Elect a secretary to provide administrative assistance to the board.
- (4) Hold regular monthly meetings at City Hall. Such meetings shall be televised. All meetings of the board shall be conducted as required by the Georgia Open Meetings Act.
- (5) Conduct its business only with a quorum. A majority opinion of the members sitting at any hearing shall govern as to decisions of the board. In no event shall a decision of the board be voted upon by fewer than four members.
- (6) Be free to contract for the services of a competent court reporter to take down statements, testimony and discussions at its meeting or to use in lieu thereof a competent person adept at shorthand reporting and/or mechanical transcribing devices, whichever method is from time to time desired by the board, such services to be paid for by the city.
- (7) Maintain all records in the office of the ethics officer as required by the Georgia Open Records Act.
- (8) Report, as appropriate, suspected ethical and criminal violations to state or federal law enforcement agencies.

(9) Notify the ethics officer of any report of an alleged violation of the code of ethics received by the board.

(10) Establish procedures to notify the subject of any report of an alleged violation of the code of ethics as required by the Georgia Open Records Act.

(g) The city shall pay all administrative costs, including those specifically stipulated in this section, pertaining to the operation of the board of ethics.

(h) The board shall have the authority to prescribe rules and regulations pursuant to this division to administer the financial disclosure process and to issue opinions under this division. The board shall prescribe appropriate financial disclosure forms, instructions and methods of disclosure as required to comply with the requirements of disclosure of income and financial interests found at section 2-814.

(i) Except as otherwise provided in this division, the meetings of the board will be governed by Robert's Rules of Order.

(j) The board shall render an advisory opinion based upon a real or hypothetical set of circumstances, when requested in writing by anyone who is an official or employee of the city or a member of a board, council, committee or commission who is personally involved in a matter requiring interpretation of the ethics code. Any person requesting an opinion in accordance with this section who has made a full and complete disclosure of all relevant facts shall be entitled to rely on the opinion or finding of the board of ethics as a guide to the conduct of such person in the person's relations to and with the city. Compliance with the opinion or finding of the board of ethics shall serve in mitigation in any proceedings against such person for violation of this division. Advisory opinions based upon current law shall be maintained as required by the Georgia Open Records Act.

(k) The board of ethics shall have the authority to investigate any alleged violation of the code of ethics as follows:

- (1) Upon a sworn written complaint by any person in a form prescribed by the board;
- (2) Upon the request of the ethics officer; or
- (3) Upon the determination by a majority of the board that any matter should be investigated.

(Ord. No. 2002-27, § 1, 4-10-02; Ord. No. 2002-45, § 1, 5-28-02)

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Sec. 2-805. Ethics officer.

(a) There is hereby created as a full time salaried position an ethics officer for the city. The city ethics officer must be an active member of the Georgia Bar Association in good standing with five years experience in the practice of law. The ethics officer shall be appointed by a majority of the members of the board of ethics, subject to confirmation by a majority of the council and approval by the mayor, for a period not to exceed six years. Removal of the ethics officer before the expiration of the designated term shall be for cause by a majority vote of the members of the board of ethics.

(b) The ethics officer need not be a resident of the city at the time of his or her appointment, but he or she shall reside in the city within six months of such appointment and continue to reside therein throughout such appointment.

(c) The ethics officer shall not be involved in partisan or nonpartisan political activities or the political affairs of the city.

(d) The duties of the ethics officer shall include, but not be limited to, the following:

- (1) Educating and training all city officials and employees to have an awareness and understanding of the mandate for and enforcement of ethical conduct and advising of the provisions of the code of ethics of the city;
- (2) Maintaining the records of the board of ethics as required by the Georgia Open Records Act;
- (3) Meeting with the board of ethics;
- (4) Advising officials and employees regarding disclosure statements and reviewing same to ensure full and complete financial reporting;
- (5) Urging compliance with the code of ethics by calling to the attention of the board of ethics any failure to comply or any issues, including the furnishing of false or misleading information, that the ethics officer believes should be investigated by the board so that the board may take such action as it deems appropriate;
- (6) Monitoring, evaluating and acting upon information obtained from an "ethics hotline" which shall be a city telephone number for the receipt of information about ethical violations. Each complaint, as of the time it is reported, whether by telephone or otherwise, shall be deemed to be a separate pending investigation of a complaint against a public officer or employee as provided by the Georgia Open Records Act;
- (7) Notifying the subject of a report of any alleged violation of the ethics code, whether the report is anonymous, made by an identified individual or is written. Such notice shall be given in writing, by facsimile or hand delivery, to the subject of the complaint at the same time and in the same form that any disclosure of information is required by the Georgia Open Records Act;
- (8) Notifying the board of ethics of any report of an alleged violation of the ethics code received by the ethics officer.
- (9) Reporting, as appropriate, suspected ethical violations to the city board of ethics;
- (10) Reporting, as appropriate, suspected criminal violations to state or federal law enforcement agencies; and
- (11) Filing with the board, the mayor and the council each January a written report describing the activities of the ethics officer in carrying out the goals of his or her office and the code of ethics and reporting on the ethical health of the city.

(Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-806. Investigations and hearings.

The board of ethics shall conduct investigations into alleged violations of the ethics code, hold hearings and issue decisions as prescribed below:

- (1) The proceedings of the board and records shall be open unless otherwise permitted by state law.

- (2) Upon request of the board of ethics, the city attorney, or any attorney representing the city attorney's office, or in the event of a conflict, any attorney who shall be selected by a majority of the board and who will provide pro bono services to the board, shall advise the board of ethics.
- (3) Preliminary investigation of complaint.
 - a. The ethics officer shall conduct a preliminary investigation of any complaint and provide a written report to the board of ethics discussing the ethics officer's findings and recommend to the board of ethics whether there is probable cause for belief that this division has been violated warranting a formal hearing.
 - b. If the board determines after the preliminary investigation of a complaint that there does not exist probable cause for belief that this division has been violated, the board shall so notify the complainant and the subject of the investigation. If the board determines after a preliminary investigation of the complaint that there does exist probable cause for belief that this division has been violated, the board shall give notice to the person involved to attend a hearing to determine whether there has been a violation of this division.
- (4) For use in proceedings under this division, the board shall have the power to issue subpoenas to compel any person to appear, give sworn testimony, or produce documentary or other evidence. Any person who fails to respond to such subpoenas may be subjected to the penalties set forth in section 2-807 of this division.
- (5) All hearings of the board pursuant to this section shall be as follows:
 - a. All testimony shall be under oath, which shall be administered by a member of the board. Any person who appears before the board shall have all of the due process rights, privileges and responsibilities of a witness appearing before the courts of this state. Any person whose name is mentioned during a proceeding of the board and who may be adversely affected thereby may appear personally before the board on such person's own behalf or may file a written sworn statement for incorporation into the record to be made part of all proceedings pursuant to this subsection.
 - b. The board's decision shall be governed by a preponderance of the evidence standard.
 - c. At the conclusion of proceedings concerning an alleged violation, the board shall immediately begin deliberations on the evidence and proceed to determine by a majority vote of members present whether there has been a violation of this division. The findings of the board concerning a violation and the record of the proceedings shall be made public by the board as soon as practicable after the determination has been made.

(Ord. No. 2002-27, § 1, 4-10-02; Ord. No. 2002-44, § 2, 5-28-02)

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Sec. 2-807. Violations; appeals.

(a) Any intentional violation of this division or the furnishing of false or misleading information to the board of ethics or the ethics officer, or the failure to follow an opinion rendered by the board or the failure to comply with a subpoena issued by the board pursuant to this division shall subject the violator to any one or more of the following:

- (1) Administrative sanction of not more than \$1,000.00 assessed by the board of ethics;

(2) Public reprimand by the board of ethics; and

(3) Prosecution by the city solicitor in municipal court and, upon conviction, to a fine of up to \$1,000.00 per violation and up to six months imprisonment, whether the official or employee is elected or appointed, paid or unpaid. Nothing in this section shall be interpreted to conflict with state law. An action for violation of this division or the furnishing of false or misleading information or the failure to comply with a subpoena issued by the board must be brought within two years after the violation is discovered.

(b) With regard to violations by employees, in addition to the remedies in paragraph (a) the board may recommend any one or more of the disciplinary actions set forth in section 114-502.

(c) With regard to violations by persons other than officials or employees, in addition to the remedies in paragraph (a) the board may recommend to the purchasing director any one or more of the following:

(1) Suspension of a contractor; and

(2) Disqualification or debarment from contracting or subcontracting with the city.

(d) The decision of the board after a hearing shall be final; provided, however, that such proceeding shall be subject to review by writ of certiorari to the superior court of the county. The board's designee shall be authorized to acknowledge service of any such writ and shall, within the time provided by law, certify and cause to be filed with the clerk of the superior court a record of the proceedings before the board, the decision of the board and the notice of the board's final actions.

(e) The value of any gratuity transferred or received in breach of the provisions of this division may be recovered from either the receiving official or employee or the person or entity providing the gratuity, for deposit in the City of Atlanta General Fund.

(f) All violations of this division shall be prosecuted in accordance with chapter 62, article II, division 2 of this Code.

(Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-808. Representing private interest before agencies.

No official or employee shall appear on behalf of private interests before any agency, except as a matter of public record in a court of law as provided by section 2-809 of this division. Council members may appear on behalf of constituents or in the performance of public or civic obligations before any agency but only without compensation or remuneration of any kind. In no instance may council members appear before the zoning review board on behalf of constituents or in the performance of their public or civic obligations; they may, however, appear in their own behalf, in relation to their own property interests.

(Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-809. Representing private interest before courts.

No official or employee shall represent any person or private interest in any action or proceeding in conflict with the interests of the city, in any litigation in which the city or any agency of the city is involved or is a party, or any action or proceeding in the municipal courts and traffic courts of the city involving any charges or violations in which the complainant is the city or any agency of the city or any official or employee thereof pertaining to the official's or employee's official duties. However, this section shall not restrict or prohibit any official or employee who is an attorney at law from appearing or participating as an attorney in the representation of a client in any action or proceeding in the municipal courts or the City Courts of Atlanta.

(Ord. No. 2002-27, § 1, 4-10-02; Ord. No. 2002-37, § 1, 5-28-02)

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Sec. 2-810. Representation after separation from employment.

(a) No person who has served as an official or employee shall, for a period of one year after separation from such service or employment, appear before any agency or receive compensation for any services rendered on behalf of any person, business or association in relation to any case, proceeding, or application with respect to which such former official or employee was directly concerned or in which such official or employee personally participated during the period of such official's or employee's service or employment or which was under such official's or employee's active consideration or with respect to which knowledge or information was made available to such official or employee during the period of such official's or employee's service or employment.

(b) There shall be a presumption, subject to case-by-case review by the Atlanta Board of Ethics or the ethics officer, that the appearance of a former official or employee of the city before any city agency on behalf of a public entity as defined in section 2- 801 is not a violation of this section.

(c) Nothing in this section shall be construed to preclude a former official or employee from being engaged directly by the city to provide services to or on behalf of the city during this one-year period.

(Ord. No. 2002-27, § 1, 4-10-02; Ord. No. 2016-37(16-O-1404), §§ 1, 2, 11-16-16)

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Sec. 2-811. Use of property and services.

No official or employee shall request, use or permit the use of any publicly owned or publicly supported property, vehicle, equipment, labor or service for the private advantage of such official or employee or any other person or private entity. However, no official or employee is prohibited from requesting, using or permitting the use of any city-owned or city-supported property, vehicle, equipment, material, labor or service which as a matter of city policy is made available to the public at large or which is provided as a matter of stated public policy for the use of officials and employees in the conduct of official city business.

(Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-812. Participation in contracts.

No official or employee, including but not limited to those identified in section 2-813(b), shall participate directly or indirectly through decision making, approval, disapproval, recommendation,

the preparation of any part of specifications or requests for proposal, influencing the content of any specification or contract standard, rendering advice, investigating, auditing or reviewing of any proceeding or application, request for ruling or other determination, claim or other matter pertaining to any contract or subcontract and any solicitation or proposal therefore or seek to influence the votes or decisions of others with respect thereto when the official or employee knows or with reasonable investigation should know that there is a financial or personal interest possessed by:

- (1) The official or employee;
- (2) One or more members of the immediate family of the official or employee;
- (3) A business other than a public agency in which the official or employee, or a member of the official's or employee's immediate family, serves as an officer, director, stockholder, creditor, trustee, partner or employee; or
- (4) Any other person or business with whom the official or employee or a member of the official's or employee's immediate family is negotiating or seeking prospective employment or other business or professional relationship.

(Ord. No. 2002-27, § 1, 4-10-02)

Cross reference(s)--Ethics in public contracting, § 2-1481 et seq.

State law reference(s)--Voting upon questions by interested councilmembers, O.C.G.A. § 36-30-6; sale of city property to city officer or employee, O.C.G.A. § 16-10-6.

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Sec. 2-813. Disclosure of interests.

(a) Every official or employee listed in paragraph (b) of this section who knows or with reasonable investigation should know that the official or employee has a financial interest or personal interest, direct or indirect, in any proposed legislation or in any decision pending before that official or employee or the agency of which the official or employee is a member or employee shall not vote for or against, discuss, decide, in any way participate in considering the matter or seek to influence the votes or decisions of others on such matter.

(1) Prior to any determination of the matter, the official or employee shall verbally disclose at the meeting, if any, the nature of such interest, and shall have such disclosure placed on the official records of the agency.

(2) Should an official or employee be absent from that meeting or a portion of that meeting, the official or employee is required to verbally disclose the nature of the conflict at the next attended meeting and said disclosure shall be placed on the official records of the agency.

(3) Further, the official or employee must complete an online Disclosure of Conflicts of Interest form at the [Electronic Disclosure System] as maintained by the City of Atlanta Ethics Officer, immediately upon his or her recognition of said conflict.

(b) The officials and employees covered by this section shall be as follows:

- (1) Mayor;
- (2) President of council;
- (3) Members of council;
- (4) Municipal and traffic court judges;

- (5) Chief operating officer and deputy chief operating officers;
- (6) Chief of staff and deputy chiefs of staff;
- (7) All employees of the office of the mayor who report directly to the mayor;
- (8) Commissioners, deputy commissioners, department heads and their equivalents;
- (9) Bureau directors, assistant bureau directors and managers;
- (10) Division heads;
- (11) Executive directors of city boards, commissions, authorities or other similar bodies;
- (12) Zoning administrator and any assistant zoning administrators;
- (13) Inspectors of all departments and bureaus;
- (14) City attorney and deputy, assistant, and associate city attorneys;
- (15) Director of the office of contract compliance and employees of the office of contract compliance with discretionary or supervisory authority over certification, compliance, monitoring, or auditing;
- (16) Assistant directors, contracting officers, and buyers in the purchasing bureau;
- (17) Within the department of finance, assistant directors and all employees who have discretionary or supervisory authority over the investment of city funds or the auditing of city finances or city contracts;
- (18) City internal auditor and employees of the office of internal auditor with investigative and supervisory authority over audits, the audit process, and audit reports;
- (19) City ethics officer;
- (20) Hearing officers;
- (21) Members, whether paid or unpaid, of all city boards, committees, councils, commissions, authorities and other similar bodies created by state law, Charter ordinance or resolution;
- (22) Members appointed by the mayor and/or council or council president to other public boards, committees, councils, commissions and authorities of the city, county, or state; and
- (23) Officers of neighborhood planning units.

(Ord. No. 2002-27, § 1, 4-10-02)

State law reference(s)--Voting upon questions by interested councilmembers, O.C.G.A. § 36-30-6.

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Sec. 2-814. - Disclosure of income and financial interests.

- (a) The officials and employees listed in subsection (b) of this ordinance shall annually file with the ethics officer statements disclosing the following:
- (1) All positions of employment held by the official or employee in any business (as defined in section 2-801 (b) for all or any portion of the year, including a description of the type of business and the existence and nature of any business done by the employer entity with the city. Lawyers, accountants, consultants, public relations representatives, and other persons rendering services for financial consideration shall disclose the organization, if any, with which they are connected, the type of services offered by the organization, and any particular segment of such services in which the member specializes;
 - (2) Each and every source of income from any business received by such official or employee in excess of \$5,000.00 derived from any single source in the preceding calendar year. Nothing in this section shall be construed to require reporting of the identity of individual clients, customers or patrons; however, the president of council and members of council shall include the information required to be reported under paragraph (d) of this section;
 - (3) Any benefit, whatever its nature, of such official's or employee's immediate family derived from transactions with the city or an agency, by employment, contract, or otherwise, either directly or through a business in which such immediate family member has a majority or controlling interest;
 - (4) All direct ownership interests in real property held by the official or employee; and
 - (5) All persons listed in subparagraphs (b)(1) through (8) of this section shall also disclose the identity of all stocks, blind trusts, bonds, debentures, and other forms of debt obligations of any corporation or any business or entity collectively in excess of \$10,000.00 held by the official or employee at any time during the year except for mutual funds, personal checking accounts, time deposit accounts, other savings or retirement fund accounts held by any financial institution of the United States government, or any city approved or maintained deferred compensation or pension program.
- (b) The following officials and employees shall be required to file annual statements disclosing information set forth in subsection (a) of this ordinance:
- (1) Mayor;
 - (2) President of council;
 - (3) Members of council;
 - (4) Municipal court judges;
 - (5) Chief operating officer and deputy chief operating officers;
 - (6) Chief of staff and deputy chiefs of staff;
 - (7) All employees of the office of the mayor who report directly to the mayor;
 - (8) Commissioners, deputy commissioners, department heads and their equivalents;
 - (9) Bureau directors, assistant bureau directors, managers and their equivalents;
 - (10) Division heads and their equivalents;
 - (11) Executive directors of city boards, commissions, authorities or other similar bodies;
 - (12) Zoning administrator and any assistant zoning administrators;
 - (13) Inspectors of all departments and bureaus;

Sec. 2-816. Passes, tickets and gratuities.

(a) No contract or lease with the city may require passes, tickets or gratuities to be given to officials or employees or permit reduced fees to be paid by officials or employees. The contracting party shall not provide gratuities or prerequisites to any official or employee in connection with execution of or performance under the contract or lease.

(b) No official, employee or person appointed to any board, corporation, commission or authority, including the mayor, the president of council, members of council, and judges of the municipal and traffic courts, shall knowingly accept any ticket of admission or other evidence of right of entry to any entertainment event, such as, but not limited to, musical concerts and dramatic productions, or to any athletic events, as a gift or for a value less than the price printed on the ticket, which would not be offered or given to such official or employee if such person were not an official or employee. For purposes of determining whether such ticket would be offered or given by reason of the official's or employee's position with the city, it shall be presumed that the offer of such ticket or right of entry from a member of the official's or employee's immediate family or from a business other than a public agency in which the official or employee, or a member of the official's or employee's immediate family, serves as an officer, director, stockholder, creditor, trustee, partner, or employee, is not made by virtue of that official's or employee's position. For purposes of determining whether such ticket would be offered or given by reason of the official's or employee's position with the city, it shall be presumed that any offer of such ticket or right of entry made by any prohibited source, but not limited to the Atlanta Fulton County Recreation Authority and any professional sports team located in the metro Atlanta area, is given by reason of such official's or employee's position with the city. As used in this section, "entertainment event" shall not include breakfasts, lunches, or dinners.

(1) Any official or employee who is performing an official duty at an entertainment event shall be exempt from this section with regard to that particular entertainment event.

(Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-817. Prohibition on giving or receiving gratuities.

(a) No official or employee shall accept any gratuity as defined in section 2-801(g).

(b) No person, business, or other entity shall give or convey to any official or employee a gratuity as defined in section 2-801.

(Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-818. Solicitation.

No official or employee shall solicit or accept anything of value, in any form whatsoever, calculated to influence a vote, decision, or the exercise of official authority in any manner involving the city; provided, however, nothing in this section shall prohibit any official or employee from accepting a gift on behalf of the city which is properly reported to the board of ethics and the department of administrative services for addition to the inventory of property of the city.

(Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-819. Disclosure of confidential information.

No official or employee shall disclose confidential information concerning the property, governing operations, policies or affairs of the city, except when required by state or federal law or by a court order or lawful subpoena, nor shall such official or employee use such confidential information acquired in an official capacity to advance the financial interest or personal interest of the official, employee or others in any instance where such would conflict with the best interest of the city. (Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-820. Incompatible interests.

(a) No official or employee shall invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private transaction, which creates a conflict with and adversely affects official duties of the official or employee to the detriment of the city.

(b) No official or employee shall engage in or accept private employment or render services for private interests when such employment or service is adverse to and incompatible with the proper discharge of official duties of the official or employee.

(c) No official or employee shall own stock in or be employed by or have any business, financial or professional connection with or ownership interest in any business, company or concern which does business with the city, unless such business with the city is conducted through sealed competitive bidding or requests for proposal where such bids are opened and the awards are made at meetings open to the public. Such involvement shall not be considered as doing business with the city so as to cause any conflict of interest; provided, however, that any such person shall remain subject to sections 2-812 and 2-813 governing participation in contracts and disclosure of interests. This section is not intended to apply to ownership of less than ten percent of any publicly traded stock.

(d) Commissioners, deputy commissioners, department heads, chief operating officer, deputy chief operating officers, chief of staff, deputy chiefs of staff, bureau directors, and employees of the office of the mayor who report directly to the mayor shall not engage in any private employment or render any services for private interests for remuneration, regardless of whether such employment or service is compatible with or adverse to the proper discharge of the official duties of such employee. However, the employees named in this paragraph may engage in private employment or render services for private interests only upon obtaining prior written approval from the board of ethics in accordance with this paragraph. The board of ethics shall review each request individually and provide written approval or disapproval of the notification within 30 days. All requests for approval of outside employment shall state the type and place of employment, the hours of work, and the employer's name and address. City employment shall remain the first priority of the employee, and if at any time the outside employment interferes with city job requirements or performance, the official or employee shall be required to modify the conditions of the outside employment or terminate either the outside employment or the city employment. This paragraph shall not apply to single speaking engagements or to participation in conferences or on professional panels; provided, however, that any expense reimbursements received for such engagements must be reported in accordance with section 2-815.

(e) The mayor shall not accept honoraria, earned income other than the salary of the mayor, or payments-in-kind in any amount as remuneration for services. This section does not apply to receipt of dividends, interest, passive investment income, or income from a blind trust.

(f) Officials and employees other than the mayor may not accept honoraria from a prohibited source.

(Ord. No. 2002-27, § 1, 4-10-02)

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Sec. 2-821. Loans.

(a) It shall be unlawful for any official or employee to lend money to any employee or to charge for obtaining credit for that employee, except that loans of \$2,000.00 or less may be made or credit may be obtained for employees in cases of emergency. When these loans are made in emergencies, if not made voluntarily without charge, they shall be made only at the legal rate of interest on judgments in the state. If this loan or accommodation is made, it shall be unlawful for the official whose duty it is to pay the employee to deduct the amount so lent from the pay of the employee. All such accommodations or advances made, together with the interest thereon, shall be reported by the person making them to the head of his or her department or, if made by the head of the department, shall be reported to the mayor. These reports shall be made monthly and filed with the mayor and the municipal clerk in the public record.

(b) The mayor shall see that this section is complied with and that no business or practice shall be carried on of making loans by officials or employees to other employees of the city but that only accommodation loans in emergencies and for legal interest on judgments in the state shall be made or allowed. In no event shall any charge for obtaining credit be made or allowed. Any officer or employee violating this section shall, on conviction, be punished as provided in section 1-8 of this Code and shall also be dismissed from the service of the city.

(Ord. No. 2002-27, § 1, 4-10-02)

[\(top\)](#)

Sec. 2-822. Persons handling city funds becoming surety, guarantor or endorser.

No official or employee who handles or controls any funds of the city shall, during the official's or employee's term or continuance in office, become surety, guarantor or endorser of any bond, note or other obligation for any person employed by the city, excluding a member of the official's or employee's immediate family, an adult child or a parent.

(Ord. No. 2002-27, § 1, 4-10-02)

[\(top\)](#)

Sec. 2-823. Protection for reporting of violations.

Officials and employees are encouraged to report suspected ethical violations to the ethics officer. No official or employee shall use or threaten to use any official authority or influence to discourage, restrain or interfere with any other person for the purpose of preventing such person from acting in good faith to report or otherwise bring to the attention of the board of ethics information relating to an ethics violation or investigation. No official or employee shall use or threaten to use any official authority or influence to effect any action as a reprisal against an official or employee who reports, initiates a complaint, or otherwise brings to the attention of the board of ethics information relating to a board investigation or an ethics violation.

(Ord. No. 2002-27, § 1, 4-10-02)

[\(top\)](#)

Sec. 2-824. Effective date and interim provisions.

The ethics board members serving on June 8, 2002 are authorized to remain office and to administer the ethics code until August 5, 2002, or such other time as the new ethics board is constituted.

(Ord. No. 2002-27, § 1, 4-10-02; Ord. No. 2002-52, § 1, 6-20-02)

[\(top\)](#)

Sec. 2-825. Mandatory ethics training.

(a) All part-time, full-time, and contract employees of the offices of council members, council staff, municipal clerk, and council president shall receive a minimum of two hours of training within six months of the effective date of this ordinance and receive additional training at least once every three years after completing the initial training. This includes, but is not limited to, all employees reporting to the director of council staff and the municipal clerk, as well as city council assistants, senior council assistants, special council assistants, and contracted employees of the council member offices. Contract employees covered in this code section shall be persons that receive a 1099 FORM or 1099- MISC FORM from the Internal Revenue Service, pursuant to Section 530 of the Revenue Act of 1978 as extended by section 269(c) of P.L. 97-248, for services offered to a council member, the council President or any office of the council member or council president that amounts to \$600.00 or more per calendar year and work for the department of council for a period of 21 days per calendar year or more.

(b) The ethics officer, or a designee, and the office of ethics shall be responsible for offering the training at least once a month or more and providing for all the staffing, materials, and all other operations of the training.

(c) The department of human resources shall be responsible for maintaining and enforcing this code section and ensuring that all the eligible employees meet the minimum requirements set forth in this code section.

(Ord. No. 2014-36(14-O-1369), § 1, 7-30-14)

Editor's note--Ord. No. 2002-27, § 1, approved April 10, 2002, did not set out provisions for § 2-825. Formerly said section pertained to registration and disclosure of reports by lobbyists. See the Code Comparative Table.

[\(top\)](#)

Secs. 2-826—2-840. Reserved.

Press Releases

Kelvin J. Cochran Awarded Fire Chief of the Year

Posted Date: 8/7/2012 5:00 PM



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FOR IMMEDIATE RELEASE: 08/07/12

Press Release

Kelvin J. Cochran Awarded Fire Chief of the Year

Atlanta -- Chief Kelvin J. Cochran of the Atlanta Fire Rescue Department (AFRD) was named 2012 Fire Chief of the Year by *Fire Chief* magazine during the International Association of Fire Chief's Fire-Rescue International Conference on August 3, 2012, in Denver.

With 31 years of fire-service experience, Chief Cochran served as Atlanta Fire Chief from January 2008 through July 2009 before accepting an appointment from President Barack Obama to serve as U.S. Fire Administrator, where he was charged with overseeing, coordinating, and directing national efforts to prevent fires and improve fire response. Chief Cochran returned to Atlanta in May 2010 to join the leadership team of Mayor Kasim Reed's administration. As Fire Chief, he directs the operations of a \$74 million department with 35 fire stations and nearly 1,000 fire fighters providing fire, rescue and emergency services.

Under Chief Cochran's leadership, the department has seen dramatic improvements in response times and staffing. In July, the department reached full staffing of four firefighters per engine and zero vacant firefighter positions for the first time in the history of the department. The department also reached a new level of responsiveness on fire emergencies, meeting the National Fire Protection Association Codes and Standards for response coverage 81% of the time, up from 65% in 2010.



Annual State of the City Breakfast Address

 Listen

[prepared text]

Good morning. This truly is a moment for all of us in the City of Atlanta to pause and reflect on what we have accomplished together over the past few years.

So much of what we just watched in the video would not be possible without the support of our business community and leaders such as my good friend, Muhtar Kent. The Coca-Cola Company has been a steadfast partner with the city of Atlanta for decades. In the past three years alone, the company has invested more than \$1 million in city-sponsored programs, especially the Centers of Hope initiative. Our children and young people are the direct beneficiaries of that kindness.

So thank you, Muhtar, for everything that you and Coca-Cola do for the City of Atlanta.

I would also like to acknowledge the entire Atlanta Committee for Progress for your support in hosting today's State of the City breakfast. Thank you, Jim Hannan. I also want to express my gratitude to Phil Kent, the CEO of Turner Broadcasting, who so ably led the organization over the last year.

I would be remiss not to express my gratitude to the distinguished men and women who serve on the Atlanta City Council. Let's please pause and acknowledge City Council President Ceasar Mitchell and all the members of the council. Please stand and let everyone see you.

The City of Atlanta put the stamp on another banner year in 2012, and I want everyone to know that none of those accomplishments would have occurred without your leadership, your insight and your dedication. We do not agree all of the time, but this is a focused, hard-working City Council that is making our city better very day. You deserve another round of applause for all of the accomplishments and advancements of the past year.

I want to acknowledge all of the distinguished members of Atlanta's Consular Corps and thank them for their partnerships and their friendships. You contribute so much to what makes Atlanta a true world-class city.

I also say welcome to Chief Judge Crystal Gaines and the members of the city's judiciary, other elected officials and honored guests. I thank you for being here in support of our city and for your ongoing contributions and continuing partnerships that are so vital as the City of Atlanta maximizes its position as a global city and as the logistics center of the Southeast United States of America and the Western Hemisphere.



And now I want to thank the people who have stood by me long before I ever dreamed of becoming mayor ... the Reed family. I was blessed to have my parents, June and Sylvia Reed, to stand with me holding the Bible as I took oath as the city's 59th Mayor, and I am thankful they are here with me today. Mom and Dad, will you please stand?

I also want to thank my stepmother, Dr. Ragsbert Phillips, for being here as well as my three brothers, Carlton, Chuck and Tracy. Thank you for your everlasting support.

And, finally, I want to thank every single one of you ... whether you are an employee of the City of Atlanta, work in the City of Atlanta, do business in the City of Atlanta, or live in the City of Atlanta.

You are the energy, the spirit and, most importantly, the heart and soul of our City. You are what inspires me to each morning to do more. And I thank you from the bottom of my heart for your ongoing support and encouragement.

This is my fourth State of the City address and the final one as I finish my first term in office. There have been quite a lot of questions and some speculation about my plans for the next stage of my political career and whether I might go to Washington or seek higher office.

Well, I personally believe that if you spend too much time worrying about your next job, you lose sight of what you need to accomplish in your current position. And so I am here to tell you that I have no plans right now to do anything else besides serve as your mayor. I love being mayor, and I am going to keep being mayor as long as you will have me.

You see, I am living the dream of a 13-year-old boy from Southwest Atlanta who looked up to Atlanta Mayors such as Sam Massell and Maynard Jackson Jr. and Andrew Young and Shirley Franklin and hoped that one day he would get to step into their shoes and serve the City of Atlanta in his own right as mayor.

And three years ago, with the grace of God and the help of a lot of great people and partners and collaborators, I achieved that dream. And while I'm never satisfied because there is always more work to be done, I can tell you that the City of Atlanta is in a vastly different position today than when I was sworn in just over 3 years ago.

We, in Atlanta, are a financially stable city.

When I came to office in 2010, the City of Atlanta faced a nearly \$48 million budget shortfall and had

only \$7.4 million in reserves. We had hard decisions to make. My administration streamlined inefficiencies in city government and reduced spending in some areas, while at the same time, we kept our promise to hire more police officers and invest in young people by re-opening our recreation centers and pools.

Your city government followed the example of thousands of men and women in Atlanta by saving more. We increased the city's cash reserves by 17 times --- taking it from \$7.4 million to \$126.7 million in real dollars as audited by KPMG.

Please note: We did so without layoffs or property tax increases...and with a budget that is roughly \$100 million less than the city's general fund budget in 2008.

We also addressed our city's \$1.5 billion unfunded pension liability in a collaborative way. My administration worked with this city council and our employee unions on a reform plan that will save the city \$270 million over 10 years and \$500 million over the next 30.

Our hard work has been recognized. Last year, Moody's Investors Service last summer affirmed the City of Atlanta's Aa2 rating and upgraded its outlook on our outstanding bonds and contractual obligations from "negative" to "stable."

Was I happy with Aa2 and "stable?" Sure ... for a moment last summer. But I'm not satisfied. We need to get our bond-rating higher. We must become a "Aaa" city. I want investors to know that Atlanta is not just a safe bet ... but the smartest bet.

CNBC certainly thinks so, and as we have started to come out of recovery, the network named Atlanta as the winner in its inaugural "Recovery Road Trip." As part of that series, CNBC named Atlanta as the No. 1 city in stock performance in 2012 based on the performance of our biggest public companies in the stock market.

So Atlanta is no longer a house built on a foundation of sand, vulnerable to the winds and the rains and the floods. We are now a house built on a foundation of rock.

And because of that ... WE CAN DO MORE. We can do more for our residents. We can do more for our businesses. We can do more for our most vulnerable citizens - our children, our seniors and our homeless brothers and sisters.

We have about a \$922 million backlog in infrastructure needs across our city, and we're strong enough to fund at least \$250 million worth of infrastructure improvements in the coming years and probably

more. And I believe we are in a strong enough position to handle a new stadium very comfortably without any impact to the city's finances or credit rating.

I do believe that, when you're in office, there are times when you have to make 10-, 15- and 20-year decisions. This is one of those times. If you don't want to make these kinds of decisions, you shouldn't have a job like this.

So we can do more. And we will do more.

I am also here to tell you that as of today...

We, in Atlanta, are a safer city.

When I campaigned for Mayor, I made a promise to invest in the Atlanta Police Department and achieve a longstanding goal of a force of 2,000 sworn officers. Over the past three years, we have recruited more than 700 new police officers, and last year, we passed a budget that will ensure we reach 2,000 this year.

We didn't stop there as Chief Turner and his team, with the help of the Atlanta Police Foundation and the support of my administration and this City Council, have implemented one of the most comprehensive police training programs in the state of Georgia.

We have also invested in state-of-the-art police technology so our officers have the crime-fighting tools they need. That includes the new Loudermilk Video Integration Center, which pulls from more than 700 public- and private-sector cameras across downtown, Midtown and Buckhead. Soon, it will be the most effective and most robust video surveillance system in the nation.

Our police department also engages in smarter and more proactive police measures, such as the Community Oriented Policing Section and two full-time police officer LGBT liaisons. And the Chief has realigned the department's beat structure to reduce response times.

As a result, Atlanta's felony crimes are the lowest they have been since 1969. And that's based on an analysis of 50 years worth of crime statistics. Last year, our city had only 85 homicides, the second lowest in the city since 1962. And our overall violent crime is down to levels we haven't seen since 1972.

Over at the Atlanta Fire Rescue Department, Chief Kelvin Cochran and his firefighters have achieved some major milestones themselves. Last summer, the department achieved my administration's goal of full staffing of four firefighters per engine and zero vacant firefighter positions for the first time in decades.

In addition, the department enhanced its Special Operations team and implemented a Swift Water Rescue Team, a Dignitary Medic Team and the SWAT Medic Team.

As a result, the department has eliminated brown-outs due to staffing shortages, and it has reached new levels of emergency responsiveness based on stringent National Fire Protection Association Codes and Standards.

It's no wonder why Fire Chief magazine named our own Chief Cochran as its Fire Chief of the Year for 2012.

Am I happy with the public safety figures? For now. Am I satisfied? No. Because I know we can do more. We can do better, and we will do more to bring those figures down even further... make them even more impressive. We still have more to do to ensure our public safety officers have the most state-of-the-art technology and training ... and we will do more.

And those crime and safety figures will continue to improve. So we will have even fewer homicides and less property damage ... and we can do more to avoid anything like the school shooting of a couple of weeks ago.

We will do more.

At the same time we are a safer city, I want everyone to know that ...

We, in Atlanta, are a more caring and beautiful city.

Ever since I became Mayor, I have talked a lot about Atlanta stretching beyond the "City Too Busy to Hate" and truly becoming the "City Not Too Busy to Love One Another."

If anyone ever thought that was just talk, they have been proven wrong many times over the past year. And I want to tell everyone about a moment when Atlanta revealed beyond measure its true heart and soul ... when our great city literally walked the walk and showed that this is a city that is going to take care of itself, especially the most vulnerable members of our community.

I don't know if you remember what it was like on the evening of Thursday, Jan. 17, but it was one of the coldest nights of the winter so far with temperatures dipping near freezing with winds reaching 35 mph; so it was really cold with drizzling rain that night.

You wouldn't think anyone would be out that night, but I'm telling you that we had 190 volunteers out taking an important Vulnerability Survey – a deeply personal survey – to fully assess what we need to do to address the homelessness issue in our city.

Ladies and Gentleman, the people of this city ... continue to surprise me ... in the ways they display the heart and soul of our city, and they did so that night.

Last year, the city and its partners found supportive housing for more than 300 veterans, and we were praised as the top city in the United States in a challenge issued by the White House to house 100 veterans in 100 days.

We housed 300 veterans so far, but that's not enough for me. I want to house all of our veterans and end chronic homelessness among that group by the end of this year. And I want to take that momentum and find supportive housing for more and more of our homeless brothers and sisters so we can put the numbers of our homeless on a significant downward trend.

We can do more ... and we are doing more.

After we reopened every single one of the city's 33 recreation centers at the start of my administration, we began transforming them into Centers of Hope, where our young people can have structured after-school environments for play, study and character development. We have two pilot programs in Thomasville and Adamsville and thanks to such great corporate partners as Coca-Cola, Turner Broadcasting, Wells Fargo and U.S. Micro, we are going to expand them across the city very soon.

We also reopened the Mayor's Office of Constituent Services because at our core, city officials have to provide basic customer service each and every single time they visit or call City Hall. We launched a new Web site that makes it easier for our constituents to handle many key city services from their own computers.

And I am pleased to announce that we will do more this year and launch a 311 service that will make City Hall even more responsive to our constituents. And we are doing this because we can ... and we must ... and we will do more for our citizens.

And we are going to do more to make Atlanta a more beautiful city. We have our "Love Your Block" neighborhood program, which has supported 27 neighborhood groups across this city through the work of nearly 800 community volunteers donating more than 5,000 service hours.

Last year, they planted more than 900 trees and shrubs and removed more than 22,000 pounds of litter. And this year, we are going to go further, and we are going to beautify the gateways into our city

so everyone will see what a beautiful city Atlanta can be.

We are doing what we can to remove blight from our neighborhood. And I am pleased to announce that we have eradicated a backlog of more than 5,000 code complaint violations after we moved Code Enforcement under the command of our police department. We will never again allow such a backlog to happen again, and we will do more to combat those issues in the months ahead.

That's what I'm talking about when we say that Atlanta is becoming a more beautiful and more caring city.

And these are just a few of the projects that show how ...

We, in Atlanta, are a thriving city.

We have continued the development and expansion of the Atlanta BeltLine, having opened 4.5 miles of new trails and four new parks totaling more than 30 acres since I became Mayor. I have been calling this project the most transformational urban redevelopment project in the nation, and the Sierra Club itself last year said it was one of the best and most important transportation projects in the United States of America.

The world is watching us. They are watching us because we are doing big things even following one of the most difficult recessions in American history. The folks in Charlotte, N.C., asked me to visit with them last week about streetcar and transit projects. Now we are sort of rivals with our friends north of here ... a bit of friendly competition here in the Southeast ... but they turned to us because they knew that we were doing something big and that we were doing it the right way.

And I told them that leading cities have streetcars. They have innovative transit. And even though we have faced some criticism, we have moved ahead because we know that economic development has historically followed innovative transit projects.

Last year, we began construction on the actual Atlanta Streetcar project. I am here to tell you that you are going to see our downtown transform before your eyes soon after service begins in early 2014.

We are also doing more to make Atlanta a top-tier sustainable city. Last year, we launched Cartlanta, the city's new residential recycling program, and I am pleased to announce that it has already boosted our recycling tonnage by 30 percent. At the same time, recycling rates at City Hall and other municipal buildings have increased six-fold.

And as part of our sustainability efforts, we have the Atlanta Better Buildings Challenge, an initiative

that seeks to reduce energy and water consumption in our commercial buildings by 20 percent by the year 2020. In just one year, more than 48 million square feet from 74 properties are committed to this challenge.

Going green not only makes sense from an environmental standpoint, but an economic one. The energy and diverted waste will save millions and millions of dollars each year, so we are going to benefit in many, many ways. We are also thriving because we are creating real jobs.

In 2011, I told you about the Hire One Atlanta campaign and how it began as a partnership with the Atlanta Business Chronicle with just a simple premise: Encouraging each business in Metro Atlanta to hire at least one new employee. Today, I can report that more than 1,400 companies participated in the campaign, leading to more than 16,200 jobs.

We didn't stop there.

Last year, I announced the re-launch of the city's economic development authority as Invest Atlanta, with a broader mission to make Atlanta the most economically competitive and dynamic city in the world. Since then, Invest Atlanta has reported 35 project wins that helped create 2,024 direct jobs and 1,292 indirect ones and attracted more than \$700 million in private-sector capital.

Folks, they are only getting started. Invest Atlanta will do more. It launched "Start Up Atlanta" last year to support entrepreneurs, and, next week, we will host the first-ever citywide hack-a-thon to motivate the computer-coding community to help the city with technological issues and innovations. And later this year, we plan to open an incubator for female-owned and operated small businesses at the old AJC building on Marietta Street.

And more job and economic opportunities will come from abroad as we expand our international affairs activities and fully staff the city's expanded International Affairs Office and make more connections to more countries than ever before. Last year, Invest Atlanta and the Metro Atlanta Chamber joined with me to host our trade mission to China to help small- and medium-sized business increase their international footprint. That mission resulted in 32 export trade leads, 13 international direct investment leads and nine projects. We expect potential export sales from that mission to exceed \$88 million.

And we only plan to do more. We are working on a trade mission to Brazil, and I invite you all to join because we are working to make Atlanta our nation's gateway to all of Latin America.

We will see more opportunities in Downtown Atlanta, which makes up the core of our \$11 billion

convention and tourism industry as three major projects come online. Just last December, I joined with Governor Deal and the National Football Foundation to announce groundbreaking details for the College Football Hall of Fame, and we broke ground on the National Center for Civil and Human Rights.

Also last year, many federal, state and regional leaders gathered in 120 acres of undeveloped land near the Georgia Dome for an announcement about President Obama's decision to fast track the Multi-Modal Passenger Terminal Project, which will create a vital regional hub for transportation and transit.

Now, if those projects don't reflect a thriving city, then this certainly does.

Great world cities must have great art, so we are supporting the arts in an even greater way. Last year we doubled the budget for the city's Contracts for Arts Services Program and launched the Power 2 Give program, which has raised more than \$92,000 in additional funding for the city's arts organizations.

So we aren't satisfied with what we accomplished so far. We are ready to do much, much more.

Finally, I want everyone to understand that ...

We, in Atlanta, are a world-class city.

As the host of the Centennial Olympics and home of the world's busiest passenger airport, Atlanta has definitely made its mark on the world, but I want us to do more to ensure Atlanta's place as a World-Class City of the Ages.

Nothing embodies that more than the opening of the Maynard H. Jackson International Terminal last May. With 12 international gates and a new baggage recheck process that makes it so our international travelers only have to check their bag one time, this terminal solidifies our global standing.

And it moves us even closer to my vision as Atlanta as the logistics hub of the Western Hemisphere.

You see, we live in a very special place in the world, a place that wasn't blessed with the mountain vistas or the lakefront views or the ocean beachfronts that are the hallmark of almost every other great city of the world. This city had to be created, and our city marks the spot that once served as major crossroads of the railroad.

And this city grew because of determined people ... determined people with a vision.

We remain a major crossroads of our nation. But instead of just railroads, we have the largest airport on

Planet Earth with an ever-increasing air cargo capacity. And just four hours away in Savannah, we have the fastest-growing and fourth-largest U.S. container port on the Eastern seaboard. And last year, the Savannah Harbor Expansion Project, which recently earned final approval from the U.S. Army Corps of Engineers, which will contribute greatly to economic development in the state and in metropolitan Atlanta. I cannot overstate the benefits of the link between that port and our airport and what can happen once the port is deepened, and it can handle the big ships that will be moving through a renovated Panama Canal in 2014.

These two logistics hubs are vital economic generators for the entire state and region. Now imagine if they were linked by high-speed rail. I believe that would change the game for all of Georgia. Imagine getting off work at 5 p.m. and being on the coast within 90 minutes.

Atlanta would finally have its ocean.

High-speed rail between Atlanta and Savannah is not a pipe dream; there is a strong economic argument for the investment. But it is also an inspiring notion, one that dares us to think and dream bigger and better. Those are the kinds of debates worth having, and many young leaders around the nation are embracing and championing these ideas.

Now we have a challenge to fund these improvements because our voters this summer made it clear that they won't accept any new taxes if they don't believe government cannot deliver solid results.

But I believe we can find innovative methods for two reasons. First, there are models of public-private partnerships to secure funds at very low interest rates without overburdening taxpayers.

We can already see this happening with the Atlanta BeltLine where more than \$30 million for the project has been raised through the private sector. And special Tax Allocation District funds, designed to foster economic development in city neighborhoods, have made up the difference.

But most of all, we have seen unprecedented levels of cooperation among Georgia's Republican and Democratic leaders and with business and economic leaders on major initiatives.

Just look at the partnerships behind the Port of Savannah. Look over to Aerotropolis Atlanta where thanks to the work of Invest Atlanta and our partnerships with Governor Nathan Deal and the state, Porsche recently broke ground on its North American headquarters.

I cannot begin to describe what that one event means for the economic development that will occur around the airport in the coming years. But I can say, we have already seen some of the residual effects

of Porsche, Triumph Motorcycles, Krystal's and Carters and some other national and international corporations have already announced their move to Atlanta.

These companies and more have recognized that Atlanta has put its act together in a collaborative way that shows that we have the infrastructure, the work force, the logistics and the desire to handle national and global business and commerce in a way that can compete with any other city in the world.

They can see that we are ready and able to do more.

We will do more because world-class cities do more. That's why they are world class. It's not an accident.

And we here in Atlanta did not get to this point by happenstance or coincidence. We are here today in a vibrant, caring, safe and thriving Atlanta because of deliberate decision-making from people who chose to dream and chose to dream big. These were people who weren't satisfied with the status quos of their time. They had the options of either doing what they needed to do to just survive or choosing the future.

They choose the future.

And when they did, they chose to dream big.

When you choose to dream, the sky's not the limit. There are no limits.

Now when it comes down to actually striving for and achieving the dreams, you have to be smart, realistic, responsible. But when I ask you to dream, I don't want you to limit yourself. When we set a dream ... a really good one... it will stretch us and really make us grow. Part of my job as Mayor is to set the vision ... cast the dream. I would do our city and our region and our state a great disservice if I didn't dream or encourage us all to dream big.

When we set our sights low, we grow the wrong direction. We stoop. We begin to hunch over and start to shrivel.

Atlanta has always been led by people who strive for big dreams. Hartsfield had a dream of an airport but he didn't want just any regional airport or even a national airport. He wanted it to have planes that flew around the world.

And Maynard Jackson took that dream and put in place the infrastructure and processes in place that made it the most efficient and the busiest in the world.

Andrew Young did not just want this city to be world class, and he didn't just want the Olympics. He wanted the Centennial Olympics. He was never satisfied. He wanted the best.

We are here today because of other great mayors from Ivan Allen and Sam Massell and Shirley Franklin ... mayors who made real and deliberate decisions because they weren't satisfied with just the status quo. They all chose the future.

And that's what we are going to do because Atlanta is in the future business.

I don't believe that I am serving just for the citizens today, I see my time as an administration for a future generation of leaders so that when they stand to lead Atlanta, they will inherit a safe city on a solid fiscal foundation with strong infrastructure and inspired, hopeful citizens.

What makes Atlanta great is that we never stop dreaming, never stop stretching and never stop achieving. The Next Great Act is coming up, and when we get there, we may be satisfied, but only for a moment. And then we will be ready, eager and willing to go after the next great set of dreams, another Great Act.

Thank you and God bless you all.



**Commission on
Fire Accreditation
International**

Re-Accreditation Report

**Atlanta Fire Rescue Department
226 Peachtree Street
Atlanta, Georgia 30303
USA**

**This report was prepared on February 27, 2014
by the
Commission on Fire Accreditation International
for the
Atlanta Fire Rescue Department**

**This report represents the findings
of the peer assessment team that visited the
Atlanta Fire Rescue Department
on December 8-13, 2013**

**Peer Assessment Team
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Michael R. Arena, Peer Assessor
Michael Calderazzo, Peer Assessor
Gary Fisher, Peer Assessor
Amy Valdez, Peer Assessor**



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EXHIBITS

Atlanta Fire Rescue Department Organizational Chart

Summary Rating Sheet (For Commission Use Only)

EXECUTIVE REVIEW

PREFACE

The Atlanta Fire Rescue Department asked the Commission on Fire Accreditation International (CFAI) for a site visit to determine if it could be recommended for re-accreditation. On March 1, 2013, the CFAI appointed a peer assessment team. On May 10, 2013, the peer team identified that the submitted standards of cover (SOC) document did not support a site visit. Subsequently a teleconference was conducted on May 22, 2013 with the fire chief, accreditation manager and the peer team leader. At that time the agency requested a four-month extension. Upon review of the revised SOC, the team approved the SOC and on September 22, 2013, a site visit was scheduled. The peer assessment team conducted an onsite visit of the Atlanta Fire Rescue Department on December 8-13, 2013.

In preparation for the onsite visit, each team member was provided access and reviewed the self-assessment manual, SOC, community risk analysis and strategic plan posted by the Atlanta Fire Rescue Department on the Center for Public Safety Excellence (CPSE) SharePoint site. This documentation represented a significant effort by the staff of the department and other community agencies. The department did not use a consultant to assist it with completing the documents required for accreditation.

SUMMARY

The CFAI has completed a comprehensive review and appraisal of the Atlanta Fire Rescue Department (AFRD) based upon the eighth edition of the *Fire & Emergency Service Self-Assessment Manual (FESSAM)*. The commission's goals are to promote organizational self-improvement and to award accreditation status in recognition of good performance. The peer assessment team's objectives were to validate the department's self-assessment study, identify and make recommendations for improvement, issue a report of findings and conclude if the department is eligible for an award of accreditation.

The peer assessment team followed CFAI processes and the Atlanta Fire Rescue Department did not demonstrate that its self-study accreditation manual, community risk analysis, SOC and strategic plan met all core competencies and criteria. The peer assessment team recommends deferred agency status for the Atlanta Fire Rescue Department from the Commission on Fire Accreditation International until the department has an opportunity to fully address all of the identified core competencies that were rated as unsatisfactory and a supplemental review and approval is made by the peer team leader.

The peer assessment team identified that a significant amount of the Atlanta Fire Rescue Department response performance data was incomplete or inaccurate and could not be used for the validation of the agency's established emergency services baselines or in the meeting of fire and emergency service best practices. As a result, the peer team determined the following ten core competencies were not being met: 2B.5, 2C.1, 2C.5, 5A.1, 5E.1, 5F.1, 5G.1, 5I.1, 6B.3, and 6C.1

Core competencies 2B.5¹ and 2C.5² are not being met. The peer assessment team was not able to verify and validate that baseline performance objectives for fire and non-fire risks conform to industry best practices.

Core competency 2C1³ is not being met. The peer assessment team determined the department has not adequately evaluated the non-fire risks in the community in order to establish their standards of cover.

As a consequence of not gathering and evaluating response time data, core competencies 5A.1⁴, 5E.1⁵, 5F.1⁶, 5G.1⁷, and 5I.1⁸ are not being met. The peer assessment team was not able to verify and validate staffing, response time, apparatus and equipment deployment objectives for each type of the programs provided by the agency.

Also as a consequence of not properly evaluating and documenting response times, core competencies 6B.3⁹ and 6C.1¹⁰ are not being met. The peer assessment was not able to verify and validate that facilities were appropriately distributed or that apparatus were located strategically, based on the agency's standards of cover.

The Atlanta Fire Rescue Department provides fire and emergency protection to 133 square miles, protecting an estimated population of 433,000. The city has experienced a return of popularity with residents returning to live within the city and/or surrounding communities. The estimated population is an increase from 420,000 in 2010 (according to the U.S. Census Bureau data). Atlanta is the capital city of the state of Georgia. The agency has appropriately chosen to measure and provide services based upon the urban community designation and its criteria. Some of the suburban communities continue to reflect the economic downturn with numerous abandoned or unoccupied residential communities. These are the areas where the department is experiencing the most significant fire risk.

¹2B.5 Agency baseline and benchmark total response time objectives for fire response conform to industry best practices as prescribed on page 70-71 for first due and effective response force (ERF).

²2.C5 Agency baseline and benchmark total response time objectives for non-fire incident response conform to industry best practices as prescribed on page 71 for first due and effective response force (ERF).

³2C.1 Each planning zone and population area is analyzed and non-fire risk factors evaluated in order to establish a standards of cover.

⁴ 5A.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, pumping capacity, apparatus and equipment deployment objectives for each type and magnitude of fire suppression emergency incidents.

⁵5E.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of technical rescue emergency incidents.

⁶ 5F.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of hazardous materials emergency incidents.

⁷ 5G.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of emergency medical incidents.

⁸ 5I.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of aviation emergencies.

⁹6B.3 Physical facilities are adequate and properly distributed in accordance with stated service level objectives and standards of cover.

¹⁰6C.1 Apparatus are located strategically to accomplish the stated standards of cover and service level objectives.

The Atlanta Fire Rescue Department was legally established and organized within the Atlanta City Charter. The department is a part of the executive branch of government and headed by the fire chief. The Atlanta City Charter clearly delineates the authority, powers, and duties of the department.

Following a detailed assessment and analysis, the peer assessment team believes by consensus that the alarm handling time, turnout time and the travel time for the first-due and effective response force components of the total response time continuum, cannot be quantified or verified. It is clear the department is committed to taking steps to resolve the issue.

The department has made a concerted effort over the last three years to focus on its collection and collation of performance time data and is making some progress. The department reviews performance data regularly, but despite its best efforts, software glitches have produced information that cannot be validated.

The department has developed a detailed and comprehensive strategic plan. This process included input from all stakeholders.

The department recently reviewed and updated its strategic plan to cover the period of 2014-2018. The process involved an appropriate mix of internal and external stakeholders. The department has comprehensive processes in place for the development, monitoring, measuring and refreshing of its goals and objectives in the budget process and its long-term goals and objectives in the five-year strategic plan. A system of bi-weekly and quarterly meetings is used to track and report out on progress towards the achievement of the goals and objectives through time, quality and quantity based performance measures. The city implemented a Focus On Results (FOR) program. The department is working with the senior city staff to make the necessary process adjustments that will ensure the department and the city short and long-term goals and objectives remain aligned.

The department is funded almost entirely through a tax base and Atlanta appears to be rebounding from the economic downturn and has resumed its former staffing levels. The fire chief and his executive staff share responsibility for the planning, management and prioritization of the budget process. Additionally, the chief and executive staff align and coordinate the budgeting process with the mayor's office and city priorities.

The department provides a constant staffing level of four personnel per engine company and three for truck companies. Typical and moderate risk responses are handled with an assignment consisting of three engine companies, three truck companies, one squad company and two battalion chiefs. The department is struggling with capturing accurate quantitative response time data from its records management system and is working towards a resolve to this issue in suppression as well as within all its programs.

The community affairs (CA) section is tasked with all public education activities for AFRD. The team is staffed with four persons: one lieutenant, two fire education specialists, and one special projects coordinator. Programs currently delivered are designed to target high-risk populations such as children and seniors, and a special effort is made after house fires to educate neighbors on the danger of fire.

The fire investigation section is presently staffed 24 hours a day and they investigate all fires and explosions where the suspected cause is undetermined or incendiary. Additionally, they investigate

incidents involving injuries or fatality as a result of a fire or explosion. There are typically two investigators on duty at all times.

The fire prevention/inspections program has two divisions one for field operations and one for the airport division. The division has recently been renamed as the Community Risk Reduction as an all-inclusive section bringing inspections, investigations and community affairs into one section.

The Atlanta Fire Rescue Department provides a wide range of technical rescue programs to its residents. Technical rescue responsibility is distributed across four companies. Minimum qualifications for these programs are described in the Operations Manual and adhere to *National Fire Protection Association (NFPA) 1670: Standard on Operations and Training for Technical Search and Rescue Incidents, 2009 edition*, and the National Professional Qualifications set forth by the Georgia Firefighter Standards and Training Council.

AFRD's hazardous materials (hazmat) team is considered a Georgia Emergency Management Agency Type I hazmat team. The team is comprised of four companies of hazardous materials technicians for a total complement of fourteen well-equipped technicians on duty at any one time. Two decontamination companies can also be dispatched to provide technical decontamination during an emergency that requires entry into the hot zone. All AFRD members not part of the hazardous materials team are trained to the Occupational Safety & Health Administration (OSHA) Hazardous Waste Operations and Emergency Response awareness or operations level and provide first due response where necessary.

The Atlanta Fire Rescue Department has responsibility for providing fire protection to the Hartsfield-Jackson Atlanta International Airport. Federal Aviation Authority (FAA) Directive 139.317 defines the minimum standards the department must meet in terms of the number of aviation rescue fire fighting (ARFF) vehicles and the amount of extinguishing agent. AFRD exceeds these minimum requirements. The department maintains a fleet of ten frontline ARFF apparatus providing service to all runway and taxiway areas. These units comply with all applicable NFPA standards.

The Atlanta Fire Rescue Department staffs and operates 30 fire stations in the city, and 5 ARFF stations at Hartsfield-Jackson Atlanta International Airport. It co-locates administrative personnel with police department staff in a downtown headquarters building and likewise shares warehouse space with the police department in a public safety annex on the western edge of Atlanta. The training academy uses three separate facilities to train personnel: a classroom facility and burn building, a drill ground and a separate driving course. To meet its standards of cover, the department fully staffs and operates 16 aerial ladders, 35 engines, 2 quick intervention units, 1 squad, 1 air truck, 6 battalion units, and 1 division command unit (shift commander).

Human resources functions for the Atlanta Fire Rescue Department are guided by the city's Department of Human Resources. The city human resources department reviews the Code of Ordinances established by city council and oversees the adherence to this code by all city departments. The overall administration of personnel in AFRD is adequate and meets all local, state, and federal requirements. The department has recently created a career development matrix, which creates a comprehensive outline of the career path process and promotional requirements. The assessment team also observed a strong commitment to improving and sustaining their recent phased implementation approach of the wellness and fitness initiative.

The department operates a well-organized training center to meet the requirements for training and development purposes. Performance based training is accomplished utilizing the requirements from the state for fire and medical certification. The department is nearing completion of a Professional Development Handbook that will help personnel develop their careers. In addition, the division has developed a training catalogue that encourages and supports staff to attend courses offered through the National Fire Academy and other training venues. The training division has in place an excellent program for tracking, auditing and managing training records and supporting documentation. The training facilities are quite antiquated and nearing the end of their service life.

The Insurance Service Organization (ISO) recently re-evaluated the city of Atlanta's water system for Public Protection Classification and re-instated their class 2 rating. The city's water distribution system has approximately 23,000 hydrants. Their standard is for hydrants to be no more than 500 ft. apart for residential structures and 300 feet apart for commercial areas. There are also additional hydrants for extra hazard occupancies to provide for required fire flow.

The department is presently working towards integrating pre-fire plans into the *Hansen Database* and they are on track to access hydrant information along with other water data via computer aided dispatch by the next fiscal year.

The Atlanta Fire Rescue Department receives its communications services from *911 Atlanta*. Call taking, communications and dispatch services are provided for police, fire and emergency medical services (EMS). Local dispatch services for advanced life support (ALS) ambulances are handled directly by *Grady EMS*, whose ambulances also utilize the Atlanta communications system. A separate communications center operates at Hartsfield-Jackson Atlanta International Airport. All emergency radio communications in the city are operated on a trunked, digital 800 MHz radio system and AFRD has exclusive use of twenty-seven talk groups.

The department has four major divisions each being led by a deputy chief who reports directly to the fire chief. The chief of staff deputy directs and coordinates all administrative support functions as well as written directives and standard operating procedures. There is adequate staff and fiscal support to meet the needs of the department.

The Atlanta Fire Rescue Department has implemented operations response protocols to address gaps in their coverage by use of external agency relationships. These relationships are mutually beneficial and have a direct impact on the agency's mission. The importance of these relationships is evident in their FY2014-2018 strategic plan. The department has documented relationships through several agreements and pacts. An example of this is their participation in the Atlanta Fire Rescue Department mutual Aid system (AFRDMAS), Georgia Mutual Aid group (GMAG) as well as the Atlanta-Fulton County Emergency Management Agency (AFCEMA).

During preparation for the site visit, it was identified that that department data included corrupt or unreliable data. As of the time of this report, it is uncertain how long this data was utilized both internally and externally. The department is expected to produce and analyze sound accurate data. Based upon the credibility of this analysis, the peer assessment team recommends that the department enact appropriate measures in their quest for continuous self-improvement as well as adherence to, or creation of, industry best practices.

The Atlanta Fire Rescue Department has had a less than strong relationship with agency accreditation. If the commission accepts the peer team's recommendation; it will be their second

deferral in less than seven years. In defense of the department, they have worked hard each time, committing the necessary resources and in the end, meeting or exceeding the expectations of the CFAI. Between these two deferrals, the agency accreditation manager retired and the reaccreditation efforts were assigned to a company commander without the tools, training or support necessary for the process. Review by the CFAI site team identified that the initial SOC was unacceptable for a site visit and the department accepted a 4-month extension to make the necessary amendments. During the period of the SOC rewrite, the department entered into communications with their previous accreditation manager and this individual has been brought back onto the departments staff as a civilian; unfortunately it appeared to be too late to positively influence the outcome of the site visit. With the return of their previous accreditation manager and the support of the department's fire chief and their executive staff, it appears very likely that they will take the necessary steps to meet and in many places exceed the requirements for accredited agency status. It is recommended that succession planning is put into place and that the agency create an environment where accreditation is a process and a project.

Composition

The city of Atlanta, the capitol city for the state of Georgia was incorporated in 1847 and is located in north Georgia. It includes both Fulton and DeKalb Counties, and is considered part of the Atlanta Metropolitan Area. Atlanta is situated in the northwest part of the state at the base of the Blue Ridge Mountains near the Chattahoochee River.

The Atlanta metropolitan area has been one of the fastest growing cities in the country and has seen a significant population growth. The city of Atlanta, as cited on the United States Census Bureau website, the population was 470,000 in 2007, and has decreased to 420,003 in 2010. The city, excluding the Hartsfield - Jackson Atlanta International Airport, currently occupies a land area of approximately 133 square miles, at an elevation of 1,050 feet. The 2012 estimated population is 443,775 citizens, which grows to over 1 million during the workweek.

The community of Atlanta has a combination of metropolitan, urban and suburban. AFRD has defined the community of which it provides emergency services to as urban. This designation assures the highest levels of standards of cover. For the purposes of analyzing AFRD's response performance the term urban is used.

AFRD is comprised of 1,114 employees of which 1,057 are paid firefighters functioning from 35 fire stations, consisting of 16 ladder companies and 34 engine companies. Ten engine companies currently provide advanced life support (ALS) and three additional ALS companies will become activated during fiscal year 2014. Special operations functions, including the hazardous material response unit, are provided by one squad and four task force stations that are each equipped with an engine and a ladder. The department maintains the Georgia Urban Search and Rescue (GSAR) unit, which is currently unstaffed; however, personnel from the unit's physical location respond to incidents throughout the metro area.

During the period of fiscal years 2009 – 2012, AFRD responded to 300,080 incidents. Even though call volumes have remained relatively consistent, there were noticeable trends that developed. Fires accounted for approximately 3% of all total alarms. Emergency medical services (EMS) calls accounted for approximately 58% of the total alarms for, with an 8% increase in FY 11 and FY12. Good intent calls accounted for 18% of all calls during this fiscal period. Good intent calls shows a significant increase of 56% from fiscal year 2009 to fiscal year 2012. Service calls accounted for 10 percent during the four-year fiscal period and increased yearly at an average of 774 calls per year. Conversely, false alarms and false calls were reduced significantly from 8,792 in fiscal year 2009 to 4,340 in fiscal year 2012. Hazardous materials calls accounted for approximately three percent of all calls each fiscal year. Additionally, technical rescue, severe weather and special incidents accounted for one percent of the calls for service during the four-year period.

Government

Council-Manager form of government
Mayor and 12 City Council members
Fire Chief

Fire Department

35 fire stations (30 city, 5 aviation rescue fire fighting (ARFF))
1057 uniform and 57 civilian personnel
3 shift system

Staffed Resources

35 engine companies
10 ARFF companies
16 aerial companies
6 battalion units
2 hazardous materials units
2 quick intervention units
1 squad
1 division command unit
1 air truck
1 foam truck

CONCLUSIONS

The self-study manual produced by the Atlanta Fire Rescue Department was of acceptable quality and represented considerable effort by the staff of the department to produce and present a credible document.

- The Atlanta Fire Rescue Department did not demonstrate that all core competencies were met in order to receive a credible rating. Core competencies not met include the following: 2B.5, 2C.1, 2C.5, 5A.1, 5E.1, 5F.1, 5G.1, 5I.1, 6B.3 and 6C.1.
- The Atlanta Fire Rescue Department did not demonstrate that all applicable criteria were met and received a credible rating. Criteria not receiving a credible rating include the following: 2B, 2C, 5A, 5E, 5F, 5G, 5I, 6B, and 6C.
- The peer assessment team recommends deferred agency status for the Atlanta Fire Rescue Department from the Commission on Fire Accreditation International until March, 2015.
- The peer assessment team recommends that if the deferred agency status timeframe is not met by the Atlanta Fire Rescue Department, the department should be denied accreditation.

RECOMMENDATIONS

The peer assessment team conducted an exit interview with the agency consisting of the fire chief and most of the staff that participated in the self-assessment study. The purpose of the meeting was to review the team's findings and recommendations. The department was given an opportunity to respond to any errors in findings of fact.

Strategic Recommendations

Strategic recommendations were developed from information gathered from the onsite assessment visit and the evaluation of the criteria and core competencies.

Category II – Assessment and Planning

Criterion 2B: Fire Risk Assessment and Response Strategies

Criterion 2C: Non-Fire Risk Assessment and Response Strategies

2B.5 Agency baseline and benchmark total response time objectives for fire response conform to industry best practices as prescribed on page 70-71 for first due and effective response force (ERF)..

2C.5 Agency baseline and benchmark total response time objectives for non-fire incident response conform to industry best practices as prescribed on page 71 for first due and effective response force (ERF).

It is recommended that the department accurately capture baseline response performance data in order to ensure they are conforming to industry best practices for their programs.

Criterion 2C: Non-Fire Risk Assessment and Response Strategies

Core Competency

2C.1 Each planning zone and population area is analyzed and non-fire risk factors evaluated in order to establish a standards of cover.

It is recommended that the department utilize the smaller "reporting districts" within the station territories when evaluating non-fire risk factors to achieve a better analysis of each planning zone.

Category V – Programs

Criterion 5A: Fire Suppression

Core Competency

5A.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, pumping capacity, apparatus and equipment deployment objectives for each type and magnitude of fire suppression emergency incidents.

It is recommended that the department accurately capture fire suppression response performance data, and document and maintain it in a manner that supports program appraisal and assessment. Note: This recommendation also applies to core competencies 5E.1, 5F.1, 5G.1, and 5I.1

Criterion 5C: Public Education Program

Core Competency

5C.7 An appraisal is conducted, at least annually, to determine the effectiveness of the public education program and its effect on reducing identified risks.

It is recommended the department move beyond simply tracking outputs and incorporate outcome measures that show the impact of the department's public education programs.

Criterion 5I: Aviation Rescue and Fire Fighting Services

Core Competency

5I.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of aviation emergencies.

It is recommended that the department establish benchmark performance goals for the aviation rescue and fire fighting program.

Category VI - Physical Resources

Criterion 6B: Fixed Facilities

Core Competencies

6B.3 Physical facilities are adequate and properly distributed in accordance with stated service level objectives and standards of cover.

It is recommended that the department accurately capture response performance data to allow for facility placement analysis and future assessment and planning purposes.

6B.4 Facilities comply with federal, state/provincial and local codes and regulations.

It is recommended that the department add a component to its station inspection process to account for federal, state and local code compliance to help with replacement/renovation considerations.

Criterion 6C: Apparatus and Vehicles

Core Competency

6C.1 Apparatus are located strategically to accomplish the stated standards of cover and service level objectives.

It is recommended that the department accurately capture response performance data to allow for analysis of apparatus placement and future assessment and planning purposes.

Category VII – Human Resources

Criterion 7G: Wellness/Fitness Programs

Core Competency

7G.1 The agency provides for initial, regular, and rehabilitative medical and physical fitness evaluations.

It is recommended that the department continue its efforts to implement regular medical and fitness evaluations for incumbent members through a department sanctioned and funded process.

Category IX – Essential Resources

Criterion 9A: Water Supply

Core Competency

9A.1 The agency establishes minimum fire flow requirements and total water supply needed for existing representative structures and other potential fire locations. This information should also be included in the fire risk evaluation and pre-fire planning process.

It is recommended that the department continue to establish minimum fire flow for all existing representative structures and make efforts to include those in the pre-fire planning process to make them readily available to responding personnel.

Criterion 9B: Communication Systems

Core Competency

9B.5 Standard operating procedures or general guidelines are in place to direct all types of dispatching services provided to the agency by the communications center(s).

It is recommended that the dispatch center consider implementing its own standardized emergency medical dispatch protocols to strengthen its ability to analyze and implement emergency medical system improvements.

Category X – External Systems Relationships

Criterion 10B: External Agency Agreements

Core Competency

10B.1 External agency agreements are current and support organizational objectives.

It is recommended that the department update its external agency agreements to ensure their effectiveness and application.

Specific Recommendations

Specific recommendations were developed from the appraisal of performance indicators in each of the ten categories.

Category V – Programs

Criterion 5E: Technical Rescue

Performance Indicators

5E.3 Supplies and materials allocation is based on established objectives, is appropriate to meet technical rescue operational needs, and is compliant with local, state/provincial and national standards.

It is recommended that the inspection and tracking system for technical rescue equipment illustrate documented support of compliance with national standards.

5E.6 The agency's information system allows for documentation and analysis of the technical rescue program.

It is recommended that the department formalize program evaluation procedures to capture not only work outputs but also equipment, training, and operational effectiveness.

Criterion 5F: Hazardous Materials (Hazmat)

Performance Indicators

5F.2 The agency defines and provides appropriate and adequate equipment to accomplish the stated level of response for hazardous materials response and to be compliant with local, state/provincial and national standards.

It is recommended that the department establish a separate funding account for the special operations program to allow for better tracking and accountability for the program's expenses.

5F.5 Minimum training and operational standards are established and met for all personnel who function in the hazardous materials response program, including for incidents involving weapons of mass destruction.

It is recommended that the special operations division standardize the continuing education provided to technicians on all three shifts.

Category VI – Physical Resources

Criterion 6B: Fixed Facilities

6B.2 Buildings and outbuildings are clean and in good repair and the surrounding grounds are well kept. Maintenance is conducted in a systematic and planned manner.

It is recommended that the department pursue a service level agreement with the city to help clearly delineate what each department can expect from the other in terms of station maintenance.

Criterion 6C: Apparatus and Vehicles

Performance Indicators

6C.4 A process is in place for writing apparatus replacement specifications that allows for employee input.

It is recommended the department include a member of the office of fleet services on the apparatus committee when specifying new apparatus to allow the city to standardize parts and training.

Criterion 6F: Safety Equipment

6F.4 Safety equipment maintenance, testing, and inspections are conducted by trained qualified personnel and appropriate records are kept.

It is recommended that the department implement a zero tolerance approach to personal protective gear violations.

Category VII – Human Resources

Criterion 7F: Occupational Health and Safety and Risk Management

Performance Indicator

7F.2 Procedures are established for reporting, evaluating, addressing, and communicating workplace hazards as well as unsafe/unhealthy conditions and work practices.

It is recommended that the department formalize its process for evaluating workplace hazards.

Criterion 7G: Wellness/Fitness Programs

Performance Indicators

7G.2 The agency provides personnel with access to fitness facilities and equipment as well as exercise instruction.

It is recommended that the department formalize a system to track, maintain, and replace fitness equipment on a scheduled basis.

7G.7 An appraisal is conducted, at least annually, to determine the effectiveness of the wellness/fitness programs.

It is recommended that the department identify and utilize a database system to document, track, and analyze the results of their new wellness/fitness program.

Category VIII – Training and Competency

Criterion 8C: Training and Education Resources

Performance Indicator

8C.2 Instructional personnel are available to meet the needs of the agency.

It is recommended that the department evaluate how subject matter experts and instructors are identified in the delivery of programs and training.

Category IX – Essential Resources

Criterion 9B: Communication Systems

Performance Indicator

9B.7 An adequate maintenance program is in place with regularly scheduled system tests.

It is recommended that the dispatch center conduct a full-scale exercise each year that includes the physical relocation of dispatchers to the secondary dispatch center to better assess the backup capabilities of the 911 center.

OBSERVATIONS

Category I — Governance and Administration

The Atlanta Fire Rescue Department operates within a mayor- city council form of government. The fire chief reports directly to the mayor. The mayor's executive oversight of the department is the responsibility of the city's chief operating officer, with whom the fire chief works very closely. The fire chief also works with the chairperson of the public safety committee of the city council.

The governing body and/or agency manager is legally established to provide general policies to guide the agency approved programs and services and appropriated financial resources. The state of Georgia legally chartered the city of Atlanta by Chapter 78 sections 2-222 of the States Codes of Ordinances. The mayor of Atlanta has the authority to create the chief operating officer, chief of staff, and department heads. The Atlanta Fire Rescue Department was legally established by the Atlanta City Charter, which gives the fire chief the authority for overall administration of the department.

The established administrative structure provides an environment for achievement of the agency's mission, purposes, goals, strategies and objectives. The Atlanta Fire Rescue Department is in compliance with all legal requirements. The process established by the mayor mandates that identified actions and efforts are directed through the city's legal department before implementation. When appropriate, the Atlanta Fire Rescue Department seeks advice from the Legal Department on matters which could place liability upon the city.

Category II — Assessment and Planning

Internally, the department established a planning and assessment division and assigned staff to provide support to the overall accreditation process. The efforts of the department produced an assessment of most of its programs. However, planning zones have not been adequately analyzed.

The department's planning zones are comprised of the station response territories. These territories range from two square miles to over nine square miles. The department has completed some analysis related to service demands and general population information, within station response territories for fire risk. All areas of response are treated as metro/urban response areas.

The department collects and analyzes data specific to the distinct characteristics of the community served and applies the findings to organizational planning.

An analysis in the standards of cover (SOC) identifies the city's fire risk by station territory or planning zones. The department has completed a comprehensive building survey within each planning zone.

The department cannot demonstrate that it assesses the nature and magnitude of the hazards within its jurisdiction and develops appropriate response coverage strategies. Each significant fire risk is categorized and listed to permit future analysis and study in determining standards of cover and related services. Non-fire related risk has not been evaluated in any of the planning zones. Special attention needs to be paid to identify, analyze and develop strategies for non-fire or limited fire risks that gain importance due to cultural, economic, environmental or historical value. Two criterion

statements and two core competencies were not met: criterion statements 2B¹¹ and 2C¹² and core competencies 2B.5 and 2C.5.

The benchmark service level objectives incorporated into the standards of cover are based on local needs and circumstances and industry standards and best practices adopted from the: *Commission on Fire Accreditation International (CFAI) Fire & Emergency Service Self-Assessment Manual (FESSAM), eighth edition; CFAI Standards of Cover, fifth edition; National Fire Protection Association (NFPA) 1221: Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems; NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments; Insurance Services Office (ISO); Fire Protection Research Foundation; and the National Institute of Standards and Technology (NIST).*

The department used fire related risk factor evaluations based on fire station response territories that are used as their planning zones. Each planning zone varies in size from two square miles to over nine square miles, which may be too large to allow for a comprehensive analysis. The department has developed a sophisticated analysis tool for establishing fire risk within each planning zone. Historical information has been used for fire risk factor evaluation, but is inadequate to provide a comprehensive analysis of individual planning zones. The department did not provide analysis on non-fire risk factors including but not limited to, economic, cultural and hazardous materials, emergency medical services and technical rescue risks. It is recommended that the department utilize the smaller "reporting districts" within the station territories when evaluating non-fire risk factors to achieve a better analysis of each planning zone.

The department's assessment and planning process, used to develop its SOC, has considered a portion of the various aspects influencing its ability to deliver services. Each fire company was responsible for assessing the fire risk within its planning area. The department used the results of that process to determine the level of fire related risk.

In the development of the SOC, consideration was given to the non-fire risks in the community. The non-fire risks include technical rescue, hazardous materials and emergency medical services risks. As previously stated, the department should consider further analysis of non-fire risks to ensure the SOC accurately depicts their service area.

An informal evaluation is conducted within the strategic planning division on a regular basis. The department has not identified any significant changes in the risk, or assessed the impact on response time standards.

The department's practice is to document alarm handling as the time interval from the receipt of the alarm at the primary public service answering point until the beginning of the transmittal of the

¹¹ Criterion 2B: Fire Risk Assessment and Response Strategies. The agency assesses the nature and magnitude of the hazards within its jurisdiction and develops appropriate response coverage strategies. Each significant fire risk should be categorized and listed to permit future analysis and study in determining standards of response coverage and related services.

¹² Criterion 2C: Non-Fire Risk Assessment and Response Strategies. The agency assesses the nature and magnitude of other hazards and risks within its jurisdiction and identified appropriate strategies, methods of operation, and resource allocation required to mitigate potential emergencies.

response information via voice or electronic means to emergency response facilities or the emergency response units in the field.

Following a detailed assessment and analysis, the peer assessment team believes by consensus that the alarm handling time, turnout time and the travel time for the first-due and effective response force components of the total response time continuum, as identified in the standards of cover, are not able to be validated as identified in the eighth edition of the *Fire & Emergency Service Self-Assessment Manual (FESSAM)*. Core competencies 2B.5¹³ and 2C.6¹⁴ are not being met. The department's total response time continuum is based upon reporting 57 percent of its total responses, calling the validity of the limited data set into question. The department recently became aware of this issue and believes this discrepancy has been created through a software glitch.

Accordingly, the peer assessment team believes that the three years of data used to formally verify and validate the department's performance is inconclusive and the peer assessment team, by consensus, believes it is unable to validate department's capabilities for the three years of total response time performance. It is recommended that the department accurately capture baseline response performance data in order to ensure they are conforming to industry best practices for their programs.

The department is aware of the criticality of being able to report on these necessary measurements. The ability to provide reliable and verifiable data within the next year will be the most important issue in its reaccreditation. The department is committed to meeting that target for implementing a successful remedy to its current problems.

A strategic plan or other form of long-term planning (three to five years in the future) is in place and, along with the budget, is guiding the activities of the agency. The plan is submitted to appropriate authority having jurisdiction. The department has a comprehensive, published strategic plan. The plan includes eleven strategic initiatives, all with specific goals and objectives and specific time constraints. The plan was developed by a large contingency of stakeholders and has received wide distribution. It is updated annually and modified as necessary.

Weekly, quarterly and annual review meetings keep the department focused on forward progress for the plan's goals and objectives. The plan's annual review and update was most recently completed and approved in 2013 and aligns with the mayor and council's Focus On Results (FOR) initiative.

Category III — Goals and Objectives

The Atlanta Fire Rescue Department is guided by a vision statement, a mission statement, a set of core values and established goals and objectives. The related performance measures are acknowledged and approved by the fire chief and serves to establish the benchmarks of the department's goals and objectives. These statements, goals, objectives and performance measures are integrated within the recently updated strategic plan for 2014-2018. The development and

¹³ 2B.5 Agency baseline and benchmark total response time objectives for fire response conform to industry best practices as prescribed on page 70-71 for first due and effective response force (ERF).

¹⁴ 2C.6 Given the importance and magnitude of service demands, a standards of cover strategy is established for each type of non-fire risk(s) and service demand.

maintenance of this document ensures the department retains an alignment with the mission and vision of the city and the needs of the community it serves.

The department has established general goals and specific objectives that direct its priorities in a manner consistent with its mission. The goals and objectives are appropriate for the community served.

The department has eleven strategic initiatives that drive the goals and objectives that follow. These initiatives have the support of the fire department and city senior staff. The goals and objectives serve to improve the community's fire protection levels.

On an annual basis, the department reviews and updates its multi-year strategic plan. The plan identifies specific, measurable, attainable, realistic and time-bound (SMART) objectives that incorporate measurable elements of time, quantity and quality to develop its goals and objectives. In some cases they are a continuation of the previous year and, in all cases, they are aligned with identified needs in the department's strategic plan and standards of cover.

The goals and objectives for each major division of the department are developed, analyzed and published as part of department's senior management initiatives. To ensure alignment with the goals of the city, the fire chief and senior staff regularly meets with the mayor and the mayor's staff to discuss the city-specified strategic goals and how they are managing their particular programs. Performance measures for the goals, and specific objectives of the major divisions, are published in the strategic planning document and are reviewed and updated annually.

The department's longer-term goals and objectives are contained in its multi-year strategic plan for 2014-2018. The long-range goals have been directly tied into city management established processes. The implementation of the published, long term objectives are currently at various levels, from early stages of activity through to completion.

A management process is utilized for implementation of goals and objectives. The department tracks progress towards implementing its goals and objectives by a management process that includes: holding stakeholder meetings annually to report and discuss the pursuits and progress of each initiative; conducting weekly, monthly and quarterly senior staff meetings to verbally discuss the progress of each initiative as it relates to the completion of performance measures and tactical objectives, both administratively and operationally. The goals and objectives, and the progress towards goal implementation, are readily available to all members of the department through the department server.

Processes are in place to measure and evaluate progress towards the completion of specific objectives and overall system performance. The goals and objectives are re-examined and modified periodically.

The fire chief receives regular updates from senior staff on various aspects of the strategic plans goals and standards of cover documents, developed by division chiefs and the department's planning and assessment division, that identifies progress towards completion of the goals and objectives; their progress and successful completion is a key component between the fire chief and senior staff. In those instances where the council changes its focus areas and related goals and objectives, the department re-evaluates and modifies, as appropriate, to ensure they are consistent with council priorities.

Category IV — Financial Resources

The Atlanta Fire Rescue Department uses internal staff to develop the initial operating and capital budgets. The processes followed during the development and approval stages of these budgets are clearly articulated in various city and fire department policies and procedures.

The department's financial planning and resource allocation processes are based on agency planning involving broad staff participation. The city of Atlanta prepares and proposes an annual budget to city council before the previous end of the fiscal year. The finance department provides direction in the budgeting and planning departments of the city including the fire department. The direction is found in the annual budget preparation manual and is in accordance with state codes and Generally Accepted Accounting Practices (GAAP) standards. Multiple budget preparation sessions are scheduled at the departmental level to ensure all procedures, expectations and requirements are followed. Their fiscal year runs from July 1 to June 30 for each annual cycle.

The peer assessment team confirmed that the city of Atlanta is in receipt of the most currently available Certificate of Achievement for Excellence in Financial Reporting (certificate) from the Government Finance Officers Association of the United States and Canada (GFOA) for its Comprehensive Annual Financial Report (CAFR). The department has submitted its most recent GFOA certificate and CAFR as prima facie compliance with this criterion.

Financial resources are appropriately allocated to support the established organizational mission, the stated long-term plan, goals and objectives and maintain the quality of programs and services. Financial stability is a fundamental aspect of an agency's integrity. The department ensures that programs and services provided can be supported by the necessary fiscal resources using sound budgetary practices.

The annual budget is based both on current and previous year's activities. The business manager and budget analyst coordinate with specific cost center managers to develop the budget. This process provides oversight for implementation of new programs and activities as well as towards maintaining core functions. The allocation is based on the department's prioritized needs and they have been able to secure the necessary funding to maintain the core functions of the department and related programs.

Category V — Programs

Criterion 5A – Fire Suppression

The Atlanta Fire Rescue Department is a full-service fire and rescue organization designed to provide essential fire suppression to an urban area. To meet the needs of its residents and visitors, the department currently staffs 34 engine companies (4 are at airport), 16 ladder/truck companies (2 are at airport). The pump capacity of all engines and 2 airport quints is 1500 gallons per minute.

The department operates a three-shift system and has established a minimum staffing of four personnel for its engine companies and three personnel on truck companies and three for tiller-type apparatus.

A safety officer, with the rank of battalion chief, is assigned to each incident and is mandated to respond to all fires as well as all situations where a firefighter injury may occur. Typically, until a

battalion chief arrives the responsibilities for monitoring for site safety are initially filled by company officers.

All personnel expected to fill the role of safety officer have received appropriate recognized training. The safety officer is formally expected to notify the incident commander of any unsafe operations. Similar expectations extend to all emergency response personnel. The department is planning on putting all chief officers through the incident safety officer again as a review, and include the captains in the training as well during the next year.

The department cannot demonstrate that it operates an adequate, effective, and efficient fire suppression program directed toward controlling and or extinguishing fires for the purposes of protecting people from injury or death, and reducing property loss. One criterion statement and one core competency were not met: criterion statement 5A and core competency 5A.1. Additional detail related to the team's findings is located below in its observations about the ability of the department to meet the criterion statement and core competency expectations.

The department periodically completes a review of all standard operating procedures related to the program. These regular reviews assure the continued introduction of industry best practices and lessons learned from local emergency responses. These procedures are located at all fire stations and are also available on the intranet. Command level personnel utilize these guidelines for professional development and use it as a guide on how to operate on scene.

The incident management system (IMS) used by Atlanta has been adopted and is implemented on every emergency situation. Newly hired firefighters are exposed to the IMS during recruit training and members are offered the opportunity to attend state and national courses to enhance their knowledge. All personnel are required to obtain National Incident Management System (NIMS) 100, 200, 700 and 800; while chief officers have to also acquire NIMS-300 and 400.

The department is constantly appraising the suppression program and through the *AFRStat program*. The department does conduct an annual appraisal to evaluate the effectiveness of the suppression program at the senior staff level and solicits input from members at all ranks within the organization.

Core competency 5A.1¹⁵ was not met. The site visit revealed that the agency's data set was limited to approximately 28 percent of the fire suppression incidents to which it responded to in the years of 2010-2012. It is recommended that the department accurately capture fire suppression response performance data, and document and maintain it in a manner that supports program appraisal and assessment.

The department's response and deployment standards are based upon all of the community's metro/urban population density and fire demand of the community. Thirty-five fire stations provide citywide and airport coverage; department staffing is based upon station location, incident type and frequency. The targeted service level objectives in the standards of cover benchmark statements are based on industry standards and best practices, as identified earlier in this report in Category II – Assessment and Planning. The objectives have been approved and adopted by fire department

¹⁵ 5A.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, pumping capacity, apparatus and equipment deployment objectives for each type and magnitude of fire suppression emergency incidents.

management and the city council. The department's benchmark service level objectives are as follows:

For 90 percent of all low/typical structure fires, the total response time for the arrival of the first-due unit, staffed with 3 firefighters and 1 officer, shall be: 8 minutes and 03 seconds in all communities; The first-due unit for all risk levels shall be capable of: providing 500 gallons of water and 1,500 gallons per minute (gpm) pumping capacity; initiating command; requesting additional resources; establishing and advancing an attack line flowing a minimum of 150 gpm; establishing an uninterrupted water supply; containing the fire; rescuing at-risk victims; and performing salvage operations. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

For 90 percent of all low/typical risk structure fires, the total response time for the arrival of the effective response force (ERF), staffed with 16 firefighters and officers, shall be: 15 minutes and 26 seconds in all communities. The ERF should be capable of obtaining a sustained water supply, containing the spread of fire, filling out the RIT group, performing safety officer functions, rescuing trapped victims, and initiating property conservation operations. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

For 90 percent of all moderate risk structure fires, the total response time for the arrival of the first-due unit, staffed with 3 firefighters and 1 officer, shall be: 7 minutes and 2 seconds in all communities; The first-due unit for all risk levels shall be capable of: providing 500 gallons of water and 1,500 gallons per minute (GPM) pumping capacity; initiating command; requesting additional resources; establishing and advancing an attack line flowing a minimum of 150 gpm; establishing an uninterrupted water supply; containing the fire; rescuing at-risk victims; and performing salvage operations. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public, completing forcible entry; searching and rescuing at-risk victims; ventilating the structure; controlling utilities; and performing salvage and overhaul.

For 90 percent of all moderate risk structure fires, the total response time for the arrival of the effective response force (ERF), staffed with 24 firefighters and officers, shall be: 15 minutes and 42 seconds in all communities. The ERF should be capable of obtaining a sustained water supply, deploying a back-up attack line, containing the spread of fire, filling out the RIT group, performing safety officer functions, rescuing trapped victims, and initiating property conservation operations. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

For 90 percent of all high risk structure fires, the total response time for the arrival of the first-due unit, staffed with 3 firefighters and 1 officer, shall be: 6 minutes and 32 seconds in all communities; The first-due unit for all risk levels shall be capable of: providing 500 gallons of water and 1,500 gallons per minute (gpm) pumping capacity; initiating command; requesting additional resources; establishing and advancing an attack line flowing a minimum of 150 gpm; establishing an uninterrupted water supply; containing the fire; rescuing at-risk victims; and performing salvage operations. These operations shall be done in accordance with

departmental standard operating procedures while providing for the safety of responders and the general public.

For 90 percent of all high risk structure fires, the total response time for the arrival of the effective response force (ERF), staffed with 32 firefighters and officers, shall be: 15 minutes and 42 seconds in all communities. The ERF shall be capable of obtaining a sustaining water supply, establishing lobby control and logistics, deploying a back-up attack line, initiating a search on the fire floor and the floor above, containing the fire, filling out the RIT group, performing safety officer operations, rescuing victims, initiating property conservation operations and placing an elevated stream into operation from an aerial apparatus. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

Due to the lack of data provided by the agency, the peer assessment team was unable to verify that the department's baseline statements reflect actual performance during 2009 to 2013. As a result the response performance tables are not included in this report.

Criterion 5B – Fire Prevention / Life Safety Program

The Atlanta Fire Rescue Department relies on two divisions with separate resources to administer its fire prevention and life safety program. There are a total of 37 personnel working in these divisions and each area are supervised by a section chief. There are 23 personnel assigned to the Atlanta metro area and 14 assigned at the airport division.

The department operates an adequate, effective, and efficient program directed toward fire prevention, life safety, hazard risk reduction, the detection, reporting, and control of fires and other emergencies, the provision of occupant safety and exiting and the provisions for first aid firefighting equipment.

The city of Atlanta has adopted the state of *Georgia Fire Code* (Title 25, Chapter 2) and all amendments as mandated by the State Fire Safety Commissioner of Georgia (Sec.78-56), and utilizes these as their adopted fire prevention code.

As prescribed by the state of *Georgia Fire Code*, the inspection division conducts fire safety inspections of existing buildings and structures and reviews plans and specifications for new proposed buildings and renovations or additions of existing ones. Evening safety compliance (or night inspections) are conducted on Friday and Saturday evenings from 2100-0200 hours. Additionally, hazardous condition inspections are conducted at the world's busiest airport (Hartsfield-Jackson Atlanta International Airport). All new and existing plans are reviewed by the department's fire protection engineer for compliance. The fire protection engineer position was re-established in 2010.

The department provides adequate staff with the specific expertise to meet the program goals and objectives. They presently utilize fire safety specialists to conduct inspections of multi-family and commercial occupancies within the city of Atlanta and at the airport. *Georgia Fire Code* mandates certification for all fire safety specialists and the department currently has 16 inspectors working in the 2 inspection sections.

Through annual and other periodic appraisals, the inspection and prevention program has been effective in its community risk reduction; this was evident with the evaluation and development of their new false alarm activation standard operating procedure, which has given the city the ability to charge for false alarm activations. This has subsequently reduced unnecessary responses for the operations division. Additionally, the inspection and prevention program at the airport continues to be successful in protecting thousands of safe fueling operations each day. The department should continue with its present review and assessment process and document its present performance metrics.

Criterion 5C – Public Education Program

The Atlanta Fire Rescue Department embraces the community risk reduction concept, as exemplified by the U.S. Fire Administration's five-step fire education planning model. Embedded within this model is emphasis on analyzing community risk factors and tailoring public education with the right message at the right time to the right audience. The community risk reduction (CRR) team is headed by one lieutenant, two fire education specialists and one special project coordinator. All members of the CRR team are sworn and civilian personnel assigned to 8-hour staff positions. Programs offered by the team are heavily focused on fire safety and loss prevention, but car seat safety and the Senior Link programs are aimed at the highest age-related risk groups in the community.

The department has a public education program in place and directed towards identifying and reducing specific risks in a manner consistent with its mission. The community affairs (CA) program targets specific risks and audiences based more on nationally identified risk groups such as low income, the very young and the elderly rather than on specific incident analysis. Focus, however, is heavily placed on using recent incidents as teaching moments in neighborhoods affected by fire. Every month, the special project coordinator distributes a report generated from the department's management information system, which lists the structure fires that have occurred for the previous 30-day period. The CA lieutenant maps fire locations to help with trend analysis as well as with *After the Fire* campaigns to distribute fire safety information to fire victim neighbors. Presently this trend analysis is limited to the simple listing of structure fires and their locations, which requires follow up on the part of CA personnel to ascertain the status of victims, ages of persons involved, method of ignition, etc.

A well-established car seat safety program has been implemented with car seat safety technicians at every station; families are encouraged to visit their local fire station for assistance. The CA program also targets seniors with its *Senior Link* program, which is designed to assist low-income seniors in obtaining help with local social programs and aid.

The department has established a specific standard operating procedure for community affairs. This policy describes the scope of the community affairs program and directs its activities generally. Four other policies have been promulgated for specific direction related to smoke alarm distribution, post-incident canvassing, home safety inspections and the *Senior Link* program. These policies are reviewed annually by the chief of CRR and forwarded to the fire chief for approval if changes are made to existing programs.

Each month the CA section's activities are reported to the planning division for inclusion in Focus on Results (FOR) Atlanta, the city's method for distributing real-time analysis of existing programs. At the present time, the program reports on the numbers of people reached and numbers of program

materials distributed. Reductions in risk-related fires and other emergencies are analyzed annually in conjunction with program budget preparation each year.

The department's car safety seat and *Senior Link* programs are laudable efforts to target the most at-risk populations in any community. The *Senior Link* program, in particular, with its focus on putting low-income seniors in touch with all local social assistance resources demonstrates the department's commitment to promoting safety and security for its customers.

It is recommended the department move beyond simply tracking outputs and incorporate outcome measures that show the impact of the department's public education programs.

Criterion 5D – Fire Investigation Program

The Atlanta Fire Rescue Department (AFRD) has a dedicated fire investigation branch to conduct investigations of all reported fires within the city and at the Hartsfield-Jackson Atlanta International Airport. The branch operates with one captain and nine lieutenants assigned to investigations. The fire investigators work closely with the city's police department to complete thorough investigations and to process criminal charges, where appropriate and utilize nationally accepted methods when processing these cases.

The department operates an adequate, effective and efficient program directed toward origin and cause investigation and determination for fires, explosions, and other emergency situations that endanger life or property.

The city of Atlanta Code of Ordinances Part II, Section 78-66 authorizes AFRD to conduct fire investigations under the authority of the Official Code of Georgia Annotated (OCGA) Title 25, Chapter 2, Section 9. The referenced code establishes legal authority for the department to investigate the cause, origin, and circumstances of any fire or explosion. The department's establishing and regulating by-law has described and defined the fire investigation branch as having the statutory responsibility to investigate fires and determine fire origin and cause. The investigation division investigates fire deaths, injuries and hazardous materials crimes. Personnel assigned to the investigations division have full police powers and have all attended and graduated the 640-hour Georgia Basic Law Enforcement School, and 80-hour Basic Arson Investigation School and 80-hour Advanced Arson Investigation School, in addition to an Interviews and Interrogation school and at least 40 hours of continuing education each year.

Mandated systematic investigations are scientifically conducted by the fire investigators using the *National Fire Protection Association (NFPA) 921: Guide for Fire and Explosion Investigations, 2011 edition*. Captains and battalion chiefs are provided with overview training for determining cause and origin and for determining when investigator response is required.

The current staffing level allows the department to adequately meet its mandate of conducting fire cause determination and fire injury investigations. The investigators are properly trained and routinely train on new procedures, national trends and modern investigative methods.

The branch completes a review of all standard operating guidelines on an annual basis. This was recently completed and their present standard operating procedure was changed significantly to reflect changes in technologies, and utilized NFPA 921 as a template.

A full appraisal is conducted annually to determine the effectiveness of the department's fire investigation program. The investigation branch conducts monthly scorecards to track the number of fires investigated, cause of the fires, juvenile fire investigated, and arrests made. The department is using their internal statistics, along with bomb and arson tracking, to monitor the performance and effectiveness of the fire investigation program.

Criterion 5E – Technical Rescue

The Atlanta Fire Rescue Department provides a wide range of technical rescue programs to its residents including, but not limited to: special vehicle/machinery entrapment, high and low angle rescue, swift/flood water, structural collapse, confined space and trench collapse. Technical rescue responsibility is distributed across four companies (Company 21 (Georgia Urban Search and Rescue), Company 11 (Swift Water/Flood), Squad 4 (Special Operations), and Company 14 (Collapse Rescue). Minimum qualifications for these positions are described in the Operations Manual and adhere to *National Fire Protection Association (NFPA) 1670 Standard on Operations and Training for Technical Search and Rescue Incidents, 2009 edition*, and the National Professional Qualifications set forth by the Georgia Firefighter Standards and Training Council.

The department has increased equipment and logistical support for Technical Rescue and is currently working to improve tracking and distribution of equipment in compliance with operational needs. They are working to create a line item in the fiscal year 15 budget in order to improve maintenance and replacement support for technical rescue equipment. The department has a detailed Operations Manual guiding technical rescue activities. Atlanta Fire Rescue Department participates in the Georgia Search and Rescue Program and maintains an extensive vehicle and equipment cache that is utilized to provide urban search and rescue (USAR) response within the city and state. In August of 2012 the department funded a dedicated special operations chief to oversee the implementation and evaluation of the technical rescue program.

Scene safety for technical rescue is established and maintained in compliance with the department's Operations Manual. The role of incident safety officer is automatically assigned to the second-arriving chief officer during technical rescue incidents. If necessary, the special operations assistant chief can function as the safety officer or as the operations chief upon their arrival at technical rescue incidents. All personnel assuming the roles of safety officer are trained to the incident safety officer level as taught by the National Fire Academy.

The department cannot demonstrate that it operates an adequate, effective, and efficient program directed toward rescuing trapped or endangered persons from any life-endangering cause. One criterion statement and one core competency were not met: criterion statement 5E and core competency 5E.1. Additional detail related to the team's findings is located below in its observations about the ability of the department to meet the criterion statement and core competency expectations.

Standard operating procedures (SOP) are in place and direct the department's response to technical rescue incidents. The department also has an updated Operations Manual, which guides each technical rescue discipline. The special operations chief position, created in 2012, has enabled the department to improve upon its policies and procedures and reviews are now focused on aligning operational training and tasks with the departments stated response requirements.

Since the creation of the special operation chief position, the department has completed quarterly appraisals of the activities of its technical rescue program. Prior to this change the evaluation of technical rescue effectiveness was largely handled at the operational level. The special operations chief now meets with officers monthly to monitor response and training needs. Accident and injury reports are evaluated under the direction of departmental risk management policy and procedures. The department is currently using data from the records management system to evaluate program activities.

The department has increased and updated equipment associated with performing stated technical rescue activities, however the inspection and tracking system for this equipment does not currently show documented support of compliance with national standards. The program does complete inventory and maintenance activities but current policies and tracking methods do not clearly identify compliance. It is recommended that the inspection and tracking system for technical rescue equipment illustrate documented support of compliance with national standards.

In addition, the department's records management system (RMS) has the capability to document technical rescue responses, but the system is not currently utilized or configured to analyze program effectiveness. In the past, the department has used several different reporting tools with minimal success; currently they rely on informally documented meetings to discuss program needs and activities. It is recommended that the department formalize program evaluation procedures to capture not only work outputs but also equipment, training, and operational effectiveness.

Core competency 5E.1¹⁶ was not met. The site visit revealed that the agency's data set was limited to less than ten percent of the technical rescue incidents to which it responded to in the years of 2010-2012. It is recommended that the department accurately capture technical rescue response performance data, and document and maintain it in a manner that supports program appraisal and assessment.

The department's response and deployment standards are based upon the metro/urban population density and the technical rescue demands of the community. Thirty-five fire stations provide citywide coverage; department staffing is based upon station location, incident type and frequency. The targeted service level objectives in the standards of cover benchmark statements are based on industry standards and best practices, as identified earlier in this report in Category II – Assessment and Planning. The objectives have been approved and adopted by fire department management and city council. The department's benchmark service level objectives are as follows:

For 90 percent of all technical rescue incidents, the total response time for the arrival of the first-due unit, staffed with 3 firefighters and 1 officer, shall be 11 minutes in all communities. The first-due unit shall be capable of and responsible for establishing command; sizing up the incident to determine the appropriate technical rescue response; what critical factors are involved; requesting the appropriate special operations resources required to safely mitigate the incident; securing the perimeter around the incident to deny entry to untrained personnel and providing basic life support to any victim/s when doing so will not endanger the crew.

¹⁶ 5E.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of technical rescue emergency incidents.

These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

For 90 percent of all technical rescue incidents, the total response time for the arrival of the effective response force (ERF) including the technical response team, staffed with 18 firefighters and officers, 8 being technician level trained shall be: 15 minutes and 03 seconds in all communities. The ERF shall be capable of: performing size up, hazard control, gaining access, rigging, developing raise/lower systems, disentanglement and patient packaging. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

Due to the lack of data provided by the agency, the peer assessment team was unable to verify that the department's baseline statements reflect actual performance during 2009 to 2013. As a result the response performance tables are not included in this report.

Criterion 5F – Hazardous Materials (Hazmat)

The Atlanta Fire Rescue Department (AFRD) hazardous materials (hazmat) team is considered a **Georgia Emergency Management Agency Type I hazmat team**. The team is comprised of three companies of hazmat technicians for a total complement of fourteen well-equipped technicians on duty at any one time. Two decontamination companies can also be dispatched to provide technical decontamination during an emergency that requires entry into the hot zone. All AFRD members that are not part of the hazardous materials team are trained to the Occupational Safety & Health Administration (OSHA) Hazardous Waste Operations and Emergency Response awareness or operations level and provide first due response where necessary.

All AFRD companies are capable of handling natural gas leaks and other minor hazardous materials emergencies. However, for incidents considered higher risk, the department deploys its three teams of technicians and two teams of decontamination units.

There is no state competency standard for hazardous materials technicians, so AFRD trains all technicians locally to the OSHA HAZWOPER rule and *National Fire Protection Association (NFPA) 472: Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents*. Continuing education training for hazardous materials team members is largely handled at the company level by experienced company commanders and hazardous materials technicians.

Safety is a critical concern for the AFRD. It is the policy of the department during hazardous materials incidents to assign the second arriving company officer to the duty of safety officer upon report of an immediately dangerous to life or health (IDLH) environment. The role of incident safety officer is automatically assigned to the second-arriving chief officer during hazardous materials incidents. If necessary, the special operations assistant chief can function as the hazardous materials safety officer or as the operations chief upon his/her arrival at a hazardous materials incident. All personnel assuming the roles of safety officer are trained to the incident safety officer level as taught by the National Fire Academy.

The department cannot demonstrate that it operates an adequate, effective, and efficient hazardous materials program directed toward protecting the community from the hazards associated with fires and uncontrolled releases of hazardous and toxic materials. One criterion statement and one core competency were not met: criterion statement 5F and core competency 5F.1. Additional detail

related to the team's findings is located below in its observations about the ability of the department to meet the criterion statement and core competency expectations.

Standard operating procedures (SOP) govern the department's response to all levels of hazardous materials incidents. The SOPs dictate the department's intended standard of cover for hazardous materials technicians and detail the specific responsibilities of all companies assigned to a working incident. The department's policy of periodic review of its SOPs has been followed by the chief of special operations; the last revision was just completed in August 2013, and has been incorporated into the department's operations manual.

Between 2010 and 2012, department-wide funding cuts shifted appraisal of the hazardous materials program to the individual companies involved in hazardous materials response. Station captains of hazardous materials response companies became responsible for evaluating crews' readiness; so centralized appraisal was largely nonexistent. In 2012, the chief of special operations position was created and an overall evaluation of the hazardous materials program was reinstated. Every month, the special operations chief meets with shift commanders, the operations assistant chief and the deputy chief of field operations to review hazardous materials incidents and special operations program performance using data retrieved from the records management system.

The special operations division does not have a budget of its own other than the provision of funding for the assistant chief of operations position. Funding for new and replacement hazardous materials response equipment must be procured using the emergency operations budget. Consequently, hazardous materials equipment funding must compete directly with funding requests from the rest of operations. Moreover, matching the program's expenses with its service level objectives as well as improving accountability for expenses is made more difficult when equipment funding is embedded with other funding. It is recommended that the department establish a separate funding account for the special operations program to allow for better tracking and accountability for the program's expenses.

Training is also an important component for hazardous materials response since demand is typically very low, but risk is extremely high. The department's use of company officers for continuing hazardous materials education is encouraged. However, a more coordinated curriculum for technicians should be pursued to standardize the training across all three shifts. The curriculum should tie directly in to the program appraisals so training deficiencies can address identified issues as promptly as possible and improve program performance. The department's *Target Solutions* platform, used to track certifications and continuing education, is an ideal way to deliver consistent distance training supplemented with tactile skills sessions and tactical simulations at the direction of the special operations chief. It is recommended that the special operations division standardize the continuing education provided to technicians on all three shifts.

Core competency 5F.1¹⁷ was not met. The site visit revealed that the agency's data set was limited to less than ten percent of the hazardous materials incidents to which it responded to in the years of 2010-2012. It is recommended that the department accurately capture hazardous materials response

¹⁷ 5F.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of hazardous materials emergency incidents.

performance data, and document and maintain it in a manner that supports program appraisal and assessment.

The department's response and deployment standards are based upon the metro/urban population density and the hazardous materials demands of the community. Thirty-five fire stations provide citywide coverage; department staffing is based upon station location, incident type and frequency. The targeted service level objectives in the standards of cover benchmark statements are based on industry standards and best practices, as identified earlier in this report in Category II – Assessment and Planning. The objectives have been approved and adopted by fire department management and city council. The department's benchmark service level objectives are as follows:

For 90 percent of all hazardous materials response incidents, the total response time for the arrival of the first-due unit, staffed with 3 firefighters and 1 officer, shall be 9 minutes and 08 seconds in all communities. The first-due unit shall be capable of and responsible for establishing command; sizing up the incident to determine the level of hazardous materials response required; what critical factors are involved; requesting the appropriate special operations resources required to safely mitigate the incident; securing the perimeter around the incident to deny entry to untrained personnel and providing emergency decontamination and basic life support to any victim/s when doing so will not endanger the crew. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

For 90 percent of all hazardous materials risk levels incidents, the total response time for the arrival of the effective response force (ERF) staffed with 10 firefighters and officers shall be 18 minutes and 15 seconds in all communities. The ERF shall be capable of performing size up, site control, material identification, confinement and containment. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

Due to the lack of data provided by the agency, the peer assessment team was unable to verify that the department's baseline statements reflect actual performance during 2009 to 2013. As a result the response performance tables are not included in this report.

Criterion 5G – Emergency Medical Services

The Atlanta Fire Rescue Department (AFRD) has an emergency medical services (EMS) program that provides two levels of pre-hospital emergency medical care. This service includes basic life support (BLS) and advanced life support (ALS). The department provides this by deployment of 25 BLS engines, 10 ALS engines, 2 ALS quick units, and 4 ALS ambulance strategically located throughout the department's response area. The department has two EMS section chiefs, one oversees the field operation EMS and the other oversees the airport EMS operations. Both operations include supervisors that provide medical oversight and quality assurance/quality improvement programs. The department has recently initiated two ALS quick intervention crews each staffed with one paramedic and one emergency medical technician (EMT). ALS patient transportation in field operations is provided by Grady Emergency Medical Services in a seamless transition between fire response and the third party provider and AFRD handles ALS transports at the airport.

The department cannot demonstrate that it operates an emergency medical services (EMS) program that provides the community with a designated level of out-of-hospital emergency medical care. One

criterion statement and one core competency were not met: criterion statement 5G and core competency 5G.1. Additional detail related to the team's findings is located below in its observations about the ability of the department to meet the criterion statement and core competency expectations.

The Atlanta Fire Rescue Department has sufficient medical protocols and standard operating procedures (SOP) in place to ensure the delivery of effective medical services. There are a number of new SOPs that are in draft form and have yet to be posted including the Health Insurance Portability and Accountability Act (HIPAA), Active Shooter, and Easy Glide Stair Chair.

Patient Care Reports (PCRs) are created for each patient treated. This report includes sufficient information to evaluate the level of care provided and to ensure the adherence of department protocols. AFRD EMS supervisors complete review of these reports as well as a random review provided by the department's medical director. When issues are identified, AFRD initiates training actions or notifications to ensure patient care is maintained within acceptable standards.

The AFRD EMS program adheres to all HIPAA regulations. Personnel are trained to meet these mandates and continuous reviews for quality assurance ensure HIPAA regulations are followed.

The AFRD conducts periodic appraisal of the EMS program through mutual sources and venues. The department's medical director works with the department to ensure protocols are appropriate to obtain the desired level of effectiveness and within current standards. Senior executive staff review response performance, incident staffing, as well as individual analysis of high profile events. The battalion chief of the EMS section assesses the level of performance through the multiple programs and efforts; recently adding the passport system. Assigned EMS supervisors and the battalion chiefs share the findings of the appraisals and reviews via mechanisms such as the *Daily Brief*.

Core competency 5G1¹⁸ was not met. The site visit revealed that the agency's data set was limited to approximately 57 percent of the emergency medical incidents to which it responded to in the years of 2010-2012. It is recommended that the department accurately capture emergency medical services response performance data, and document and maintain it in a manner that supports program appraisal and assessment.

The department's response and deployment standards are based upon the metro/urban population density and the EMS demands of the community. Thirty-five fire stations provide citywide coverage; department staffing is based upon station location, incident type and frequency. The targeted service level objectives in the standards of cover benchmark statements are based on industry standards and best practices, as identified earlier in this report in Category II – Assessment and Planning. The objectives have been approved and adopted by fire department management and city council. The department's benchmark service level objectives are as follows:

For 90 percent of all EMS basic life support (BLS) Level 1 responses, the total response time for the arrival of the first-due unit, staffed with a minimum 4 firefighters with at least two of which will be trained to the minimum level of emergency medical technician (EMT), shall arrive in: 7 minutes and 43 seconds in all communities. The first-due unit shall be capable of:

¹⁸ 5G.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of emergency medical incidents.

establishing commend, confirming patient location, making patient contact, performing A-B-C patient analysis, performing patient assessment, providing oxygen administration, taking and recording vitals, applying automatic external defibrillator (AED) and delivering shock, initiating cardio-pulmonary resuscitation (CPR) and patient ventilations, ensuring airway management, gaining intravenous (IV) access and packaging patient. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

The first arriving BLS Engine is the ERF for EMS Level 1 responses

For 90 percent of all advanced life support (ALS) Level 2 responses, the total response time for the arrival of the first-due unit, staffed with a minimum of 3 firefighters at least one trained to the level of Paramedic and at least one other trained to the level of EMT-Intermediate (EMT-I), shall arrive in: 8 minutes and 30 seconds in all communities. The first-due unit shall be capable of: establishing commend, confirming patient location, making patient contact, performing A-B-C patient analysis, performing patient assessment, providing oxygen administration, taking and recording vitals, applying AED and delivering shock, initiating PR and patient ventilations, ensuring airway management, gaining IV access and packaging patient. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

For 90 percent of all ALS Level 2 response incidents, the total response time for the arrival of the effective response force (ERF), staffed with a minimum 3 firefighters, at least 2 trained to the level of Paramedic and at least one other trained to the level of EMT-I, shall arrive in, shall arrive in: 8 minutes and 30 seconds in all communities. The ERF shall be capable of: providing incident command and producing related documentation; completing patient assessment; providing appropriate treatment; performing AED; initiating CPR; and providing IV access-medication administration. These operations shall be done in accordance with departmental standard operating procedures while providing for the safety of responders and the general public.

Due to the lack of data provided by the agency, the peer assessment team was unable to verify that the department's baseline statements reflect actual performance during 2009 to 2013. As a result the response performance tables are not included in this report.

Criterion 5H – Domestic Preparedness Planning and Response

The Atlanta-Fulton County Emergency Management Agency (AFCEMA) is the first tiered level to assist the city in domestic preparedness, planning and response. AFCEMA is responsible for drafting the Atlanta-Fulton County Emergency Management Agency Emergency Operations Plan (EOP).

Through its involvement with the county, the department operates an all-hazards preparedness program that includes a coordinated multi-agency response plan, designed to protect the community from terrorist threats or attacks, major disasters and other large-scale emergencies occurring at or in the immediate area.

The AFCEMA produces a hazard mitigation (Hazmat) plan as a generic plan for the guidance and direction to all Fulton County municipalities as well as those un-incorporated that are within Fulton County. The plan contains annexes that apply to each individual participating jurisdictions. The EOP

meets the needs of the Atlanta Fire Rescue Department (AFRD) in the planning and mitigation of natural and domestic disasters and emergencies. It was noted that the current EOP review was drafted without input from the Atlanta Fire Rescue Department; the EOP was completed and undergoing review by Fulton County Commissioners.

The Atlanta Fire Rescue Department has available to them standard operating procedures (SOP) and utilizes them to direct the domestic preparedness program, and increase effectiveness and ensure common application of policy and protocols

The city of Atlanta utilizes interoperable radio communications to ensure a unified response to emergencies and planned events. AFRD has resources within their agency to support a shared situational awareness and coordinated response, which includes cache radios, pre-programmed talk groups and a communications vehicle. AFRD incident commanders have access to real-time situation reports from AFCEMA.

Criterion 5I – Aviation Rescue and Fire Fighting Services

The Atlanta Fire Rescue Department (AFRD) has responsibility for providing fire protection to the Hartsfield-Jackson Atlanta International Airport (H-JAIA). The Federal Aviation Administration (FAA) Directive 139.317 defines the minimum standards that the department must meet in terms of the number of aviation rescue and fire fighting (ARFF) vehicles and the amount of extinguishing agent required. AFRD exceeds these minimum requirements. The department maintains a fleet of ten frontline ARFF apparatus providing service to all runway and taxiway areas. These units comply with all applicable National Fire Protection Association (NFPA) standards. The department has approval to add reserve apparatus in the fiscal year 2014 budget cycle.

All personnel stationed at the airport have received ARFF training and participate in annual emergency drills on airport property. Training records are complete and kept on site to allow for FAA inspection.

The department cannot demonstrate that it operates an adequate, effective and efficient program directed toward an aviation accident or incident occurring at, or in the immediate area. One criterion statement and one core competency were not met: criterion statement 5I and core competency 5I.1. Additional detail related to the team's findings is located below in its observations about the ability of the department to meet the criterion statement and core competency expectations.

Standard operating procedures (SOP) for the ARFF program exist in both hard and electronic form and kept are up-to-date. Fire department staff assigned to the airport is involved with the review and implementation of policies affecting ARFF operations. The department meets or exceeds FAA requirements and SOPs reflect comprehensive direction for dispatch, response, training, and administrative practices at the airport.

Operation and administration of the ARFF program at H-JAIA is evaluated on an ongoing basis by a dedicated staff of uniform officers and administrators. The chief of airport operations evaluates response to both fire and emergency medical services (EMS) incidents on airport property. During the site visit the peer team identified several areas where changes have been implemented to improve service delivery, based on needs identified during ongoing appraisals. Because of the limited number of actual emergencies, program analysis is accomplished during regular FAA appraisals of response

times, firefighter training, and runway incursions. The FAA and the National Transportation Safety Board (NTSB) also conduct appraisals of the ARFF program when accidents or actual crashes occur.

The size of the ARFF program and the scope of services provided at H-JAIA require a significant amount of analysis. The peer team discussed several options with which the chief of the airport can share response data for EMS services, so that it can be included in analysis of EMS responses for AFRD as a whole.

Core competency 5I.1¹⁹ was not met. The department currently exceeds its FAA mandated deployment objectives to aviation emergencies, but the peer team was unable to verify and validate baseline response times for the ARFF operation.

It is recommended that the department accurately capture aviation and airport response performance data, and document and maintain it in a manner that supports program appraisal and assessment. In addition, the department adheres and meets the requirements of FAA but has no benchmark performance statements. It is recommended that the department establish benchmark performance goals for the aviation rescue and fire fighting program.

The department's response and deployment standards are based upon Federal Aviation Regulation (FAR)-Part 139, target hazards and demand of the airport served. Five fire stations provide complete area coverage; department staffing is based upon station location, incident type and frequency. The service level objectives are based on industry standards and best practices.

Due to the lack of data provided by the agency, the peer assessment team was unable to verify that the department's baseline statements reflect actual performance during 2009 to 2013. As a result the response performance tables are not included in this report.

Criterion 5K – Other Programs

The Atlanta Fire Rescue Department has a program in place known as the Public Information, Education, and Relation (PIER) program. This program encompasses seven community outreach initiatives. Included as part of these initiatives are information and assistance to families in matters dealing with domestic abuse, senior living, working smoke detectors checks and installations, Car seat giveaways and installations, citizens' fire academy, and other related fire and public safety efforts.

The department has current standard operating policies in place to effectively perform the PIER program's mission. These policies identify responsibilities, protocols and how the membership documents and tracks activities within the program.

Members of the Atlanta Fire Rescue Department senior executive staff complete quarterly reviews of the PIER program initiatives to evaluate their performance and identify opportunities where program enhancements can be made.

The PIER program of the Atlanta Fire Rescue Department is community-education service oriented. The department has established goals for the programs as appropriate and been successful in

¹⁹ 5I.1 Given the agency's standards of cover and emergency deployment objectives, the agency meets its staffing, response time, apparatus and equipment deployment objectives for each type and magnitude of aviation emergencies.

achieving those goals. The department increased its smoke detector installations from 1900 in 2012 to 4700 in 2013.

Category VI — Physical Resources

The Atlanta Fire Rescue Department (AFRD) staffs and operates 30 fire stations around the city and 5 aviation and rescue firefighting (ARFF) stations at Hartsfield-Jackson Atlanta International Airport. Additionally, AFRD co-locates its headquarters with the Atlanta Police Department. Fire headquarters accommodates its executive and administrative staff in 35,000 square feet of office space in downtown Atlanta. The airport allocates approximately 28,000 square feet of office space in its operations headquarters for ARFF administration as well. A separate facility, the Public Safety Annex, houses the department's logistical support functions including supply, equipment, personal protective equipment and self-contained breathing apparatus (SCBA) repair. The annex is located in the western portion of the city and is co-housed with the Atlanta Police Department's logistics operations, as well as the AFRD fire investigations team.

Training is conducted at three separate locations: the Ashwood facility, which is a seven-acre facility that houses the training staff and classrooms, the Claire Drive drill yard and a separate driving course. The driving course is utilized by AFRD under a memorandum of understanding with the Annie E. Casey Foundation.

The department operates its own logistics facility, which provides equipment maintenance and station supplies for all facilities. Vehicle maintenance is provided by a separate city fleet services department with staff appropriately trained and qualified to maintain the department's emergency response vehicles.

Two criterion statements and two core competencies were not met: criterion statements 6B and 6C along with core competencies 6B.3 and 6C.1. Additional detail related to the team's findings is located below in the observations related to criterion statement and core competency expectations.

The department ensures the development and use of physical resources is consistent with its established plans. A systematic and planned approach to the future development of facilities is in place.

Planning for physical facilities has been an important part of the department's strategic planning process, so many department members as well as governing body members and administrative personnel have been involved in the process. Public input has been solicited when funding becomes available to move facility projects forward.

The department cannot demonstrate that its fixed facility resources are designed, maintained, managed and adequate to meet its goals and objectives. Core competency 6B.3²⁰ was not met. Due to the inability of the department to provide an adequate data set, the site team was unable to verify the adequacy of the department's distribution and placement of their facilities. It is recommended that the department accurately capture response performance data to allow for facility placement analysis and future assessment and planning purposes.

²⁰ 6B.3 Physical facilities are adequate and properly distributed in accordance with stated service level objectives and standards of cover.

As the department has indicated in its self-assessment, the peer assessment team found many of the department's facilities are very old and in need of upgrade or replacement. However, all stations are compliant with codes and regulations in place at the time of construction. A recent Justice Department audit of a select number of AFRD stations identified that seven stations require modifications to become ADA-compliant. It is recommended that the department add a component to its station inspection process to account for federal, state and local code compliance to help with replacement/renovation considerations. This additional information can be used along with building age and condition to project replacement need.

The department's facilities are routinely cleaned and by the station firefighters. However, no planned schedule exists for minor or major repairs. In some cases, firefighters have made their own station improvements or upgrades to floor and wall coverings with some materials assistance from administration. A civilian assigned to technical services assists with minor repairs to stations. Major repairs are handled by the Office of Enterprise and Asset Management (OEAM) as funding is made available, but consistency is clearly lacking. It is recommended that the department pursue a service level agreement with the city to help clearly delineate what each department can expect from the other in terms of station maintenance.

The department cannot demonstrate that its apparatus resources are designed and purchased to be adequate to meet its goals and objectives. Core competency 6C.1²¹ was not met. Due to the inability for the department to provide an adequate data set, the site team was unable to verify that the department's distribution and placement of their apparatus is accomplishing their stated service level objectives. It is recommended that the department accurately capture response performance data to allow for analysis of apparatus placement and future assessment and planning purposes.

Though an apparatus specification committee composed of department personnel meets at least quarterly and more often when purchases are in process, there is no representation from the Office of Fleet Services (OFS) on the committee. It is recommended the department include a member of the office of fleet services on the apparatus committee when specifying new apparatus to allow the city to standardize parts and training. This should help the city keep expenses in check if OFS moves forward with parts or training standardization.

The inspection, testing, preventive maintenance, replacement schedule and emergency repairs of all apparatus are well established and meet the emergency apparatus service and reliability needs. The OFS maintenance program is well established. All apparatus receive preventive maintenance quarterly. OFS uses a robust records management system capable of tracking every vehicle in the department's fleet. The system allows not only for routine maintenance scheduling, but provides management with the information analysis necessary to make logical vehicle replacement decisions. The parts room is well stocked, with a separate area dedicated to fire apparatus parts. All technicians are trained on manufacturer's recommendations and these are followed in the vehicle maintenance program.

A service level agreement has been established between OFS and the AFRD that dictates how the apparatus maintenance program is carried out. Additionally, standard operating procedures are in place for the department's personnel directing their role in the apparatus maintenance program.

²¹ 6C.1 Apparatus are located strategically to accomplish the stated standards of cover and service level objectives.

These policies are reviewed on annual basis to ensure consistency with both agencies' goals and objectives for the city's fleet.

OFS and AFRD have implemented a robust system for insuring the regular inspection, testing, fueling and preventive maintenance of fire apparatus. The city maintains six fueling centers and an additional fourteen stations have fuel on site. Moreover, OFS runs two shifts of fleet technicians dedicated to fire apparatus repair from 7 am to midnight, Monday through Friday. OFS is also working to increase the number of emergency vehicle technician-certified personnel (EVTs) on staff and upgrade the levels of existing EVT's. Aerial apparatus are tested annually by a third party provider. Any time a pump is repaired, the technical services division runs a full National Fire Protection Association (NFPA) pump test before putting the engine back in service.

The tools and small equipment resources are adequate and designed and maintained to meet the agency's goals and objectives. The technical services division tests and inspects the tools and small equipment for all stations and divisions in the department. Department personnel perform routine maintenance. Mechanics are certified by local equipment dealers for the work they perform. There is an adequate records management system to manage the program.

Safety equipment is adequate and designed to meet the agency's goals and objectives. AFRD distributes two sets of protective gear to all firefighters in the department. The department has made a commitment to provide personal protective equipment (PPE) that is compliant with nationally recognized standards. All personnel are responsible for the regular inspection of their personally assigned safety equipment and each station has extractors and commercial washing machines to ensure that equipment is clean when needed for use. The peer team noted several PPE violations while on site. It is recommended that the department implement a zero tolerance approach to personal protective gear violations.

The technical services division maintains a robust SCBA repair and maintenance program, and ensures all face piece fit testing is accomplished annually. The ability of the technical services division to deliver SCBA testing, replacement and repair services to the stations represents a best practice for other departments looking to reduce company downtime or reducing equipment maintenance issues.

Category VII — Human Resources

Human resources functions for the Atlanta Fire Rescue Department (AFRD) are guided by the city's Department of Human Resources. The city human resources department reviews the Code of Ordinances established by city council and oversees the adherence to this code by city departments. Atlanta Fire Rescue Department Office of Technical Services is responsible for day-to-day human resources functions and includes a Human Resources Director and captain of Background and Recruitment. Support for human resource activities are provided by three human resources specialists two of which are dedicated to payroll administration.

The department created a Professional Development Handbook in 2013. This document aids the organization in tying knowledge, skills, and abilities of employees to training requirements and position descriptions. The development of this handbook along with the city audit of position classifications will help clarify and formalize the career progression process for the department.

General human resources administration practices are in place and are consistent with local, state/provincial and federal statutory and regulatory requirements. Human resources staff administers the necessary city policies, procedures and directives to ensure compliance with all of the related demands. The department's human resources manager is designated and is responsible functional human resource activities and compliance with the City Code of Ordinances.

Systems are established to attract, select, retain, and promote qualified personnel in accordance with applicable local, state/provincial and federal statutory requirements. The city of Atlanta Code of Ordinances ensures departmental compliance with federal and state requirements including equal employment opportunity (EEO) and discrimination legislation. The department efficiently advertises positions and processes candidates while adhering to the detailed expectations of the city of Atlanta. The department has filled 311 firefighter recruit positions since 2010. The department complies with a detailed hiring policy, standard operating procedure (SOP) 401.01 *Decision Rules for Hiring* and the Background and Recruitment Unit supports recruitment and hiring activities.

The department uses an outside vendor to develop promotional tests utilizing a bibliography established by the Fire Rescue Department. They acknowledge a current challenge that is being processed in the court system secondary to their recent lieutenant exam however; they state the process itself is not in question. The department is currently in the process of implementing a Professional Development Handbook in order to guide employee professional development and to formally outline knowledge, skills, and abilities for specific departmental positions.

The department has experienced difficulty in attracting and hiring female candidates. AFRD has made recent attempts to target females during recruiting events but has not formalized a methodology to target this demographic. They offer biweekly training sessions for the candidate physical aptitude test in an effort to improve pass rates for all applicants.

The department has a defined, supervised probationary process to evaluate new members. Recruit firefighters are considered probationary while in the training academy and for six months and are evaluated by their immediate at three, six and twelve month periods as outlined in departmental policy. Standard city evaluation forms are used and are based on critical job elements that identify knowledge, skills, and abilities from the position job classification. The department also utilizes a probationary period of twelve months for newly promoted members but allows for the possibility of a six-month extension upon approval of the city human resource commissioner. City code also details the steps for reclassification should a promoted employee fail to perform satisfactorily.

The department does not have a formal recruitment strategy or plan to address target groups. The Recruitment and Hiring unit has several ideas on addressing concerns in this area and used a survey to evaluate employees who were successful in the recruit academy last year.

Personnel policies and procedures are in place, documented and used to guide both administrative and personnel behavior. Departmental policies and procedures related to human resources are available on the department's internal server. The department has a comprehensive *Work Rule Manual* outlining personnel policies and procedures including grievance and disciplinary procedures. All departmental employees sign a notice of acknowledgement stating they are aware of the location and have access to the internal server that houses these policies and procedures. Annual evaluations also include performance indicators associated with awareness and compliance with these rules and directives.

The department adheres to the city's code of ordinances defining and prohibiting sexual, racial, disability or other forms of harassment, bias and unlawful discrimination. City policies clearly meet minimum state and federal requirements. This information is provided to new employees during orientation and updated policies are accessible on the intranet and in the published city of Atlanta employee handbook. The city of Atlanta has an independent Board of Ethics that oversees adherence to the city code of ethics.

Human resources development and utilization is consistent with the agency's established mission, goals and objectives. The department has a position classification system in place whereby, on an on-going basis, assessments of job functions and job descriptions are accomplished. An audit process can be initiated by the department as needed, and forwarded to the city for approval. Council approves modifications of classifications, as appropriate. The city contracted with an outside agency in 2011 to perform an audit of all city of Atlanta position and pay classifications. The Atlanta Fire Rescue Department updated all position descriptions during this audit process. They plan to continue to comply with the city's auditing system; discrepancies will be reported to the city Director of Human Resources.

A system and practices for providing employee and member compensation is in place. Rates of pay and compensation are published in conjunction with job descriptions for both uniform and civilian staff of the Atlanta Fire Rescue Department. These are available on the city web site and are included in the Professional Development handbook being released this year.

Occupational health and safety and risk management programs are established and designed to protect the organization and personnel from unnecessary injuries or losses from accidents or liability. The department falls under the city of Atlanta risk management and occupational health and safety program. This system is designed and implemented to meet legislative compliance, to reduce workplace health and safety incidents and to promote health and wellness in the workplace. The department has designated a civilian senior project manager that is responsible for the implementation and tracking of department level risk management activities and workers compensations claims. These activities fall under the overall responsibility of the assistant chief of technical services while the deputy chief of field operations ensures all field operations work related injuries are investigated in compliance with departmental policy.

A safety officer position is established on incident scenes in compliance with the Atlanta Fire Rescue Department operations manual. This document establishes the second due officer in charge to assume initial incident safety on and incident involving and immediately dangerous to life and health (IDLH) environment. Further, the incident commander will shall assure the appointment of an incident safety officer on any working incident. The department has outlined a checklist to ensure a scene safety assessment is completed and reports of working conditions are reported to the incident commander. All departmental members are responsible for compliance with applicable safety program standard operating procedures.

The department has an effective method to educate the workforce in regard to communicable disease prevention and vehicle accident review recommendations. The Atlanta Fire Rescue Department also participates in the National Fire Fighter Near-Miss reporting System.

The department realizes that their current station inspection program does not clearly address documentation and follow up for safety concerns within facilities. They also have no method for ensuring accessibility to material safety data sheet (MSDS) information or identified safety hazards at

the facility level. It is recommended that the department formalize its process for evaluating workplace hazards.

The department has a wellness and fitness program for recruit and incumbent personnel and provisions for non-compliance by employees and members are written and communicated. Each firefighter applicant completes the candidate physical ability test and receives a pre-employment occupational medical evaluation prior to the start of the academy. The department has not conducted annual medical evaluation in the past but as part of their Wellness/Fitness Initiative they have processed 919 uniform staff through a contracted physical examination and are in the process of completing fitness assessments. The agency provides rehabilitative evaluations, using the recommendation from the treating physician for return to work evaluations. The department has always complied with blood work and physical requirements for hazardous materials team members. It is recommended that the department continue its efforts to implement regular medical and fitness evaluations for incumbent members through a department sanctioned and funded process.

The department has a wellness and fitness program implementation process policy. This policy addresses the initiation of baseline physicals and fitness testing. The department also has a policy to direct the selection and training of certified peer fitness trainers. This is a new policy and does not address continuation or long-term direction for the departments overall Wellness/Fitness Initiative. It is recommended that the department formalize a system to track, maintain, and replace fitness equipment on a scheduled basis.

In order to realize the full benefits of the wellness/fitness program, it is recommended that the department identify and utilize a database system to document, track, and analyze the results of their new wellness/fitness program.

Category VIII — Training and Competency

The Atlanta Fire Rescue Department (AFRD) operates a training division that provides fire and medical training. The division consists of three facilities, the Claire Drive facility is a four-acre site containing several training structures and the Ashwood facility, a seven-acre site that provides for classroom and burn training, and the University Avenue facility, a driving pad that is available through a contractual arrangement with a third party. The three facilities contain most of the resources and structures expected to be found in modern training facilities. However, technical rescue and hazardous materials props and facilities are not available. In addition, the buildings are worn and aged. A battalion chief, four lieutenants, six captains (two retired), three civilian EMS instructors, and one sergeant comprise the staff.

The department has a well-established training program that provides relevant, timely training to all personnel, including airport personnel in some venues. The program is managed to closely track training and certifications required by the state.

Program areas and required training needs are identified based upon federal, state and local laws, as well as administrative requirements. The process includes annual meetings that draw upon lesson plan reviews, post incident analysis, state updates, and new initiatives. The annual assessment workshops ensure the training programs stay current and deliver the training that the department is legally mandated to offer; programs that meet state requirements for maintenance of existing certifications held by department personnel; and training needed to acquaint personnel with new equipment acquisitions or technologies.

Training and education programs are provided to support the agency's needs. The department utilizes performance-based evaluations to ensure the members and companies are competent and confident to perform the job in individual, company, crew and multi-company situations. The department incorporates written and skill-based testing, including comprehensive task books, into the development and delivery of its training programs and emergency response exercises. Lessons learned from the evaluations are used to update the training programs.

The department is in process of developing a Professional Development Handbook that describes the career path that could be pursued for each rank. The department is encouraged to continue development of this document and put it into the annual assessment process for updating and relevancy as soon as possible.

Training and education resources, printed and non-printed library materials, media equipment, facilities and staff are available in sufficient quantity, relevancy, diversity and they are current. The department houses a full-service training center through the use of three separate facilities. Resources include training grounds sufficient for most aspects of firefighter training, but does not include technical rescue and hazardous materials training. The facilities are old and well worn. Props and training aids are also well worn. Technical rescue and hazardous materials training is conducted on an ad hoc basis, utilizing various buildings as available throughout the community. The training center has dedicated classrooms and facilities. Staffing resources are planned to increase over the next couple of years and will be a significant value to the training program. The facilities have some apparatus for specific uses, but crews are required to bring their own apparatus to the training facilities. Airport training facilities are separate and include live fire training facilities.

Nationally and state recognized training materials are being used in the training program. A committee comprised of training division staff and representatives of each department division continuously evaluate the existing training materials to make sure they reflect current practices and needs. The training staff also regularly receives recommendations from administrative and operational personnel for new training materials that go through the same evaluation process prior to being added to the department's training resources.

The agency's instructor base has a heavy workload, and they utilize personnel from its ranks when regular instructors are not available. It is recommended that the department evaluate how subject matter experts and instructors are identified in the delivery of programs and training.

Category IX — Essential Resources

Criterion 9A – Water Supply

The Atlanta Fire Rescue Department (AFRD) primarily relies on the city's Department of Watershed Management (DWM) to ensure the provision of a well-maintained, reliable and adequate water system. The city's distribution system includes more than 2,750 miles of water distribution pipelines, 12 pump stations, 9 booster pump stations, 1 surge tank, 12 ground storage tanks and over 23,000 hydrants. A good working relationship exists between AFRD and DWM, and has been strengthened in the last few years as they worked together for the Insurance Services Office (ISO) review process.

The water supply resources available to the department are reliable and capable of distributing adequate volumes of water and pressures to all areas of agency responsibility. All areas meet fire flow requirements for emergencies.

The department chief of community risk reduction serves as the liaison officer with the DWM for coordination purposes to review and approve the required fire flow for all significant new construction developments. The department recently went through the ISO process and received 37.84 out of a possible 40 for its water system. Hydrants are maintained at a minimum of 40 pounds per square inch (PSI) in the distribution system and 80 PSI at the pressure zones. It was observed by the peer assessment team that the department established minimum fire flow, but this was not included for all existing representative structures. They are presently working towards integrating pre-fire plans into their record management system and they are on track to access hydrant information along with other valuable water data via computer aided dispatch (CAD) by the next fiscal year; this should include fire flow requirements for all existing structures with this transition of technology. It is recommended that the department continue to establish minimum fire flow for all existing representative structures and make efforts to include those in the pre-fire planning process to make them readily available to responding personnel.

All areas of the city are adequately served by the domestic water supply with over 23,000 hydrants. The distribution system and hydrant distances are meeting best practices spacing of 300 feet for commercial areas and 500 feet for single-family residential areas.

The hydrant locations and alternate water sources are maintained in both hard-copy and electronic format. AFRD is presently in the process of implementing on-board mobile data computers and will be able to access water information while responding to emergencies. There is an appropriate system allowing for sharing of information between AFRD and DWM to address any problems that develop with the pressurized water system. DWM has the ability to remotely boost pressure in any area when needed. There have been some difficulty accessing the complete hydrant data base because of two different systems but this is being addressed through the new database scheduled to be completed in 2014. In the event portable water sources are needed, water tankers are strategically located throughout the city to augment water supply and maintain adequate fire protection.

Criterion 9B – Communication Systems

The Atlanta Fire Rescue Department (AFRD) receives its communications services from the Atlanta Police Department, which runs the citywide radio system and the communications center, known as *911 Atlanta*. Call taking and dispatch services are provided for police, fire and emergency medical services (EMS). Local dispatch services for advanced life support (ALS) ambulances are handled directly by Grady EMS, whose ambulances utilize the Atlanta communications system. The AFRD does not have direct influence over either communications center, but interfaces routinely with both centers through its internal communications manager and senior department leaders. A separate communications center operates at Hartsfield-Jackson Atlanta International Airport; it handles 911 calls and communications with airport emergency responders directly on airport property, but fire and EMS calls are cloned in the city's CAD system for consistent recordkeeping purposes and additional response if necessary.

The public and the department have an adequate, effective and efficient emergency communications system. The system is reliable and able to meet the demands of major operations, including command and control within fire and rescue services during emergency operations, and meets the requirements of other public safety agencies having a need for the distribution of information.

The radio system is based on 800 MHz technology. Nine repeater sites provide radio coverage throughout the city and AFRD has access to two mobile repeater units for added local coverage

should the need arise. Mobile data computers are installed on all fire apparatus and utilize a local telecommunications provider to maintain connectivity with the dispatch center. The department assigns portable radios to every riding position on first line apparatus, all command staff personnel and other specialty assignments. All fire department mobile and portable radios have national mutual aid talk-around channels. All apparatus and senior staff positions have been issued cell phones for backup communications.

The communications center has adequate provisions for meeting the incoming call volume associated with emergencies. All dispatchers in the center are cross-trained for call taking as well as both police and fire dispatching functions. Communicators can assume call taker or dispatch functions should the need arise during times of high call volume and routinely shift functions during shifts to maintain their skills. The on-duty supervisor can be pressed into similar service, if necessary, but it is recognized that this should be avoided, if at all possible, to ensure appropriate supervision capability continues to be in place at all times.

911 Atlanta operates under a comprehensive set of standard operating procedures developed by the center itself. AFRD has had input in how the center handles call taking and dispatching functions for fire and medical emergencies through its department liaison. In 2010, for instance, the department along with the communications center implemented a call taking protocol that included the screening for trigger words to hasten AFRD emergency medical response. Once an emergency medical call is confirmed, the call taker soft transfers the call to Grady EMS for more formal EMD questioning; fire units are notified for dispatch at that time as well. Though this seems to be having the desired effect of dispatching fire units quicker, it is recommended that the dispatch center consider implementing its own standardized emergency medical dispatch protocols to strengthen its ability to analyze and implement emergency medical system improvements.

Though *911 Atlanta* routinely tests its backup power systems and associated fail-safe mechanisms, no physical movement of personnel is undertaken during annual backup center tests. It is recommended that the dispatch center conduct a full-scale exercise each year that includes the physical relocation of dispatchers to the secondary dispatch center to better assess the backup capabilities of the 911 center.

Criterion 9C – Administrative Support Services and Office Systems

AFRD provides most of the support and office systems support to meet the needs of the organization. Responsibilities for each of the internal systems reside is presently under the chief of staff. Policies and procedures are in place for obtaining support and each of the divisions has adequate administrative and support staff to support the mission and objectives of the department.

Administrative support services and general office systems are in place with adequate staff to efficiently and effectively conduct and manage the department's administrative functions, such as organizational planning and assessment, resource coordination, data analysis, research, records keeping, reporting, business communications, public interaction and purchasing.

The department operates under four major divisions; field operations, technical services, the fire chief's office and airport operations, each being supervised by a deputy chief. The department is operating at its authorized levels and is adequately staffed and managed to meet its goals and objectives. There is also a strategic initiative to enhance administrative functions within the department such as payroll, data collection from building inspections and budget processing. AFRD

is using telecommuting for some mission critical administrative functions such as payroll to ensure continuity of operations in a disaster scenario with city infrastructure.

Category X — External Systems Relationships

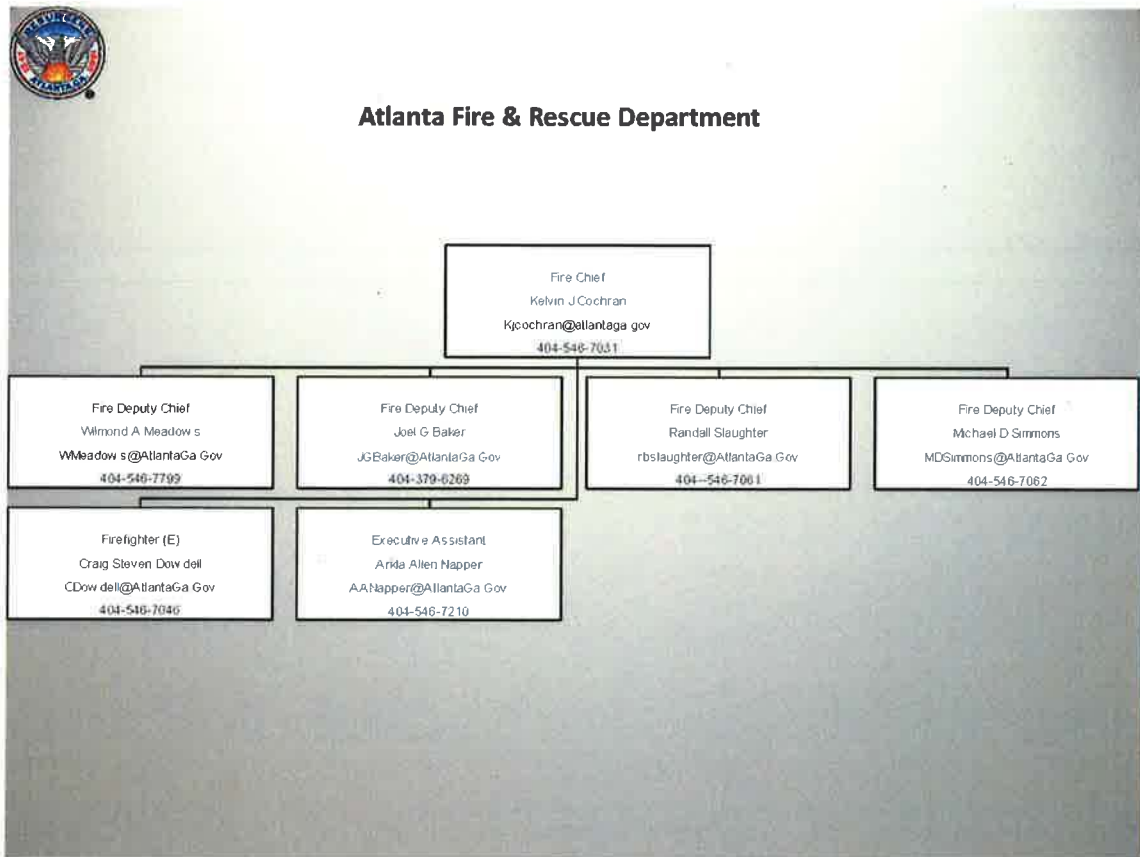
The Atlanta Fire Rescue Department (AFRD) has written mutual and automatic aid agreements to assist them in effectively safeguarding their communities and those they neighbor. These agreements mutually benefit those agencies and clarify the expectations and responsibilities of the signature parties. The department maintains record of these agreements in their External System Relations Manual. Agreements are in place to support the Atlanta Fulton County Emergency Management Agency Emergency Operations Plan.

The agency's operations and planning efforts include relationships with external agencies and operational systems that affect or may influence its mission, operations or cost effectiveness. The AFRD enters into external relationships to enhance its effectiveness and shared responsibilities for those they are entrusted to protect. Often these agreements are of mutual benefit to those involved. AFRD also enters into automatic aid agreements to provide seamless coverage and protection to communities bordering their jurisdiction. Review of these agreements has found them to be beneficial and supportive. AFRD senior staff conduct analysis to identify those gaps to which the seek agreement for the purpose on public safety effectiveness and cost-savings.

The department has well-developed and functioning external agency agreements. The system is synergistic and is taking advantage of all operational and cost effective benefits that may be derived from external agency agreements.

Although agency agreements support organizational objectives, a review of the external agency agreements has found some external agreements to be in need of review and/or signature. Inquiry of the matter revealed in some situations the agreements were not reviewed due to vacancy or long term leaves. It is recommended that the department update its external agency agreements to ensure their effectiveness and application.

ORGANIZATION CHART



Center for Public Safety Excellence Re-Accreditation Follow Up Briefing

Kasim Reed, Mayor

Michael Geisler, Interim COO

Kelvin J. Cochran, Fire Chief
February 6, 2014



COA-Cochran 0023

Deferral Status

- **Deferred Status**
- Appeal to CPSE President, Randy Bruegman
- **March 10, 2014 CPSE Commission Meeting**
 - Work Accomplished
 - Work In Progress
 - Resource Acquisitions
 - Submit Assessments
 - Request Return Peer Assessors Visit—June 2-6, 2014
- **Deferment: March 2014 to August 2014**
- Execute plan for recommendations
- **Award CPSE Accreditation August 2014**



Action Items Timeline

- Submit revised 5 year response analysis with benchmarks
- Re-configure **AFRD Response Analysis** web-based application
- Purchase customized response analysis software package
- Align assessment process as per fiscal periods
- Conduct risk assessments City and Airport
- Re-assess criterion identified by Peer Assessors
- Submit assessments to Peer Assessors—**May 2014**
- Host 2nd site-visit with Team Leader—**June 2014**
- **Award of Accredited Status—August 10, 2014**



Organizational Structure

- Reorganization of Executive Staff
- Personnel on Loan
 - FOR Atlanta—John Zimmerman
 - DIT—Cedron Johnson
- AFR Adjusted Work Schedules
- Restore Battalion One (proposed)



COA-Cochran 0023

Resources Required

Spreadsheet of Costs

- Increase Assessment & Planning Staff
- Professional Development
- Enhanced Analytics Technology
- Restore Battalion One



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**Center for
Public Safety
Excellence**

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April 1, 2014

Atlanta Fire Department
Fire Chief Kelvin Cochran
226 Peachtree Street S.W.
Atlanta, GA 30303-3749

Dear Chief Cochran:

On March 10, 2014 the Commission on Fire Accreditation International voted to accept the Peer Team's recommendation and defer Atlanta Fire Department's request for Accreditation. Your response to the team's findings has been admirable and your determination to correct noted deficiencies is apparent.

Your work and progress should continue to be conducted in the developed SharePoint site for Atlanta. It is also critical that you maintain on-going and open communications with your Team Leader, Jeff Farris and I. Such communications should be conducted through the discussion area of your assigned SharePoint site and via email.

Please be aware of the deferral time frame. The team leader must have conducted his review, received like consensus from his peer team, and completed the required report on or before January 30, 2015.

We remain available to assist you.

Sincerely,

Karl Ristow, CFO, MIFireE
CFAI Program Manager

cc: James Day, Accreditation Manager
Jeff Farris, Team Leader



**Commission on
Fire Accreditation
International**



**Commission on
Professional
Credentialing**



Chief Fire Officer

RECEIVED

APR 14 2014

CHIEF KELVIN J. COCHRAN
COA-Cochran 001993
FIRE CHIEF'S OFFICE



Press Releases

Atlanta Fire Rescue Department Announces Upgrade in City's ISO Rating to Class 1

Atlanta becomes one of 60 cities nationwide with the top rating for fire suppression capabilities

Posted Date: 8/29/2014 1:00 PM



Mayor's Office of Communications

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FOR IMMEDIATE RELEASE: 08/29/2014

News Release

Atlanta Fire Rescue Department Announces Upgrade in City's ISO Rating to Class

1

ATLANTA - Mayor Kasim Reed and Chief Kelvin Cochran announced today that, for the first time in the City's history, the Insurance Services Office has raised Atlanta's Public Protection Classification (PPC) rating to Class 1, indicating an exemplary ability to respond to fires. This upgrade indicates that insurance premiums, particularly on commercial properties, could be lowered by year's end. The PPC rating upgrade becomes effective November 1, 2014.

The Public Protection Classification rating is based on three factors: the City's ability to receive and respond to fire alarms; the fire department's first-alarm response and initial attack capabilities; and the water supply system. Insurance companies have 90 days to respond to the rating change. The City's score rose more than eight points over its 2013 total, from 81.97 to 90.14.



“I applaud the efforts of Atlanta Fire Rescue, the Department of Watershed Management, and the E911 Center for their diligent effort to achieve a rating shared by only 60 cities nationwide,” said Mayor Kasim Reed. “The Class 1 rating reflects the importance the Administration places on keeping its residents safe.”

The ISO rated 49,010 fire departments in the United States in 2013. Atlanta Fire Rescue was the largest of the four Georgia fire departments to achieve a Class 1 rating, along with fire departments in Savannah, Gainesville and Macon.

“Atlanta Fire Rescue is very proud that our work is being recognized with a Class 1 rating,” Fire Chief Kelvin Cochran said. “We consider this a testament to our hard work in reducing fire loss through firefighting and fire prevention education and to Mayor Reed’s commitment to public safety.”

The ISO is a leading source of information about insurance risk that gauges the fire protection capability of local fire departments to respond to structure fires. The ISO collects information on a community’s public fire protection and analyzes the data using its Fire Suppression Rating Schedule. It then assigns a rating from 1 to 10, with Class 1 representing the best public protection and Class 10 indicating no recognized protection. Besides the potential effect on insurance premiums, PPC data are useful in strategic planning, budgeting and justifying fire protection improvements.

#

For more information about the City of Atlanta, please visit <http://www.atlantaga.gov> or watch City Channel 26. Follow the City of Atlanta on Facebook and Twitter @City_of_Atlanta. Follow Mayor Reed on Facebook and Twitter @Kasim Reed

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About the Author

Kelvin J. Cochran is a native of Shreveport, LA, who now calls Atlanta, GA his home. He is a devout Christian man pursuing the life of a Psalm 112 man and the promises of Deuteronomy 28:1-14. His greatest desire is to fulfill the purpose of God for his life and to be living proof of God's exceeding great and precious promises.

Kelvin is a husband and father of three, with one granddaughter; and a faithful member of Elizabeth Baptist Church, Atlanta, GA where he serves as a deacon and teacher. He has thirty-two years in the Fire Service and has served as Fire Chief for the City of Shreveport Fire Department (LA); United States Fire Administrator (Washington, D.C.) and is currently serving as Fire Chief for the City of Atlanta Fire-Rescue Department (GA).



Nakedness Defined

According to Eerdman's Dictionary of the bible, nakedness is defined as totally nude or inadequately clothed. Although total nudity could be associated with the innocence of a new born child it was most often a euphemism for sexual organs or sexual activity (Lev. 18:1-23; 20:10-21; Ezek. 16:8).

The first use and context of the word *naked* was not associated with *sex organs* or *sexual activity*. It was associated with a *death to life with God* as they knew it; a loss of spirituality; and an awakening to carnality. Adam and Eve's own shame at the recognition of their nakedness in the wake of their disobedience (Gen. 3:7) is but one example of the facts that nakedness was associated with a variety of human conditions (most of which are associated with the conditions of condemnation and deprivation) often considered shameful or humiliating (Isa. 47:3).

Nakedness symbolized adulterers (1 Sam. 20:30) and was often a defining characteristic in metaphors depicting those who rejected God as either adulterers or prostitutes (Ezek. 16: 36-37; Rev. 17:16). In other words, when a person, tribe or nation *rejects God*, they are naked.

Nakedness in the sense of being inadequately clothed is one of the several types of deprivations used to represent both *poverty* (Job 24:10; Isa. 58:7; James 2:15) and *oppression by one's enemy* (including "the enemy") (Deut. 28:48; Rom. 8:35). Consequently, it was used as a figure of *judgment* against Israel. [A nakedness mindset is a *punishment*; a *curse* (Ezek.23:29) to nations (Isa. 20:2-4) or individuals (Hos. 2:3 [MT 5]).

Nakedness was also associated with ecstatic spiritual states, both positively (1 Sam. 19:24; 2 Sam. 6.20-21) and negatively (Luke 8:27) and laws regarding the attire of priests and the construction of altars showed a particular concern that they avoid accidentally exposing themselves during the performance of their duties (Exodus 20:26; 28:42) whether these laws were a direct reaction against Canaanite religious practices, as some have suggested or reflected a more general taboo regarding nakedness is subject to debate. The priests' attire made them "clothed in righteousness" completely covered. If any part of the body was exposed during their holy duties before our holy God—the judgment was death.

Being spiritually "clothed" or "covered" is an absolute imperative for meaningful interaction with God. God despises nakedness because of its origin in sin, not because he can't look at a totally nude body. Nakedness to God is a visual reminder that his original plan for mankind was destroyed by disobedience. It created enmity between God and man. The Fall has created two human conditions which initiated and continues to widen the gap between God and man. The two human conditions are condemnation and deprivation. All carnal infirmities which prevent a man from walking in his God-ordered purpose and destiny fall under one of these two categories.

The Naked Condition

Condemnation is the consequence of Adam's disobedience. It describes the adverse spiritual and psychological conditions associated with nakedness. Condemnation is a death sentence. We are all condemned to die. It is an overwhelming, insurmountable sense of being unworthy or inadequate,

accompanied by the sense that there is nothing we can do to stop it.

Deprivation is a consequence of condemnation. It describes the adverse spiritual, psychological and physical losses associated with nakedness. Deprivation is a removal from ecclesiastical office with all its provisions and benefits; dispossession; loss. It is the overwhelming, insurmountable sense of not having enough, accompanied by a never ending quest to be fulfilled.

The human condition of condemnation is an inherent steady state of accusation, blame, censure, damnation, denouncement, *denunciation*, disapproval, doom, judgment, proscription, reproach, reprobation, reproof, sentence and stricture.

From denunciation comes the sense of arraignment, castigation, cursing, and derogation, dressing down, incrimination, reprehension, smearing, stigmatization, upbraiding, and vilification.

The human condition of deprivation is an inherent steady state of dispossession, denial, destitution, disadvantage, distress, divestiture, expropriation, hardship, loss, removal, seizure, want, withdrawal, and withholding.

Conditions of Deprivation: Men Struggles

- Fatherhood
- Reconciliation
- Forgiveness
- Anger
- Envy
- Marriage
- Stubbornness
- Jealousy
- Rebellion
- Temptation

- | | |
|----------------|--------------|
| Depression | Arrogance |
| Lack | Rejection |
| Uncertainty | Greed |
| Addictions | Hopelessness |
| Commitment | Covetous |
| Disappointment | Trust |
| Fear | Surrender |
| Pride | Lust |

The consequences of what occurred in the Garden of Eden has transcended generations. All men are infected with the sinful nature. Condemnation and deprivation are the drivers that result in many afflictions and many infirmities for men. No one is immune. Which of the conditions listed are most applicable to your struggles as a man?

Biblical Men with Deprived Experiences

You are not alone. You are not the first to experience these struggles and you will not be the last. The bible has case studies of many men who had challenges with these conditions. Some are touted as bible villains, but there are many we would celebrate as biblical heroes. Consider these challenges and some of the men who struggled in these areas.

- Fatherhood: Jacob, David, Eli, Samuel
- Addictions: Sampson, Solomon
- Jealousy: Cain, Saul
- Temptation: Judah & Tamar; David & Bathsheba
- Reconciliation: Jacob & Esau; David & Absalom
- Depression: Elijah, Hezekiah and Asa
- Stubbornness: Saul, Jeroboam, Ahab

1 Peter 1:3-4 also provides evidence. *Blessed be the God and Father of our Lord Jesus Christ, which according to his abundant mercy hath begotten us again unto a lively hope by the resurrection of Jesus Christ from the dead. To an inheritance incorruptible and undefiled, and that fadeth not away, reserved in heaven for you.*

As born again sons of God we are transformed from a naked condition to a clothed condition; from world consciousness to God-consciousness. Condemnation is reversed to an inherent spiritual state of absolution, acquittal, cleared, discharged, exonerated, freed, pardoned, and released. Consequently, deprivation is overcome by an inherent spiritual state of bestowal, endowment, giving, indulgence, offering, presentation, and supply.

Case Study: Jesus and a Naked Man

Luke 8:26-39 provides a phenomenal case study on how Jesus makes the difference in the worst case scenario of naked men. When Jesus had traveled to the country of the Gerasenes over against Galilee, it was there where he met a certain homeless man living in a cemetery, possessed with demons.

The NIV Bible description states, "For a long time this man had not worn clothes or lived in a house, but lived in the tombs." This man had been naked and homeless for a long time. According to the text, he had a home and a family. His naked condition existed long before it evolved to a state of him not having on any clothes. He was spiritually naked before he became physically naked.

There were many attempts from others to help him, to keep him from hurting himself and others. They would often bind him in chains and fetters, however, on every occasion he would break them off. He eventually got fed up with his family and friends persistent efforts and fled to live in the tombs—naked.

One of the interesting facts about this case is, the naked man knew who Jesus was and came out to meet him. He fell at Jesus' feet and cried out. His motive was not worship or deliverance, but rejection. He wanted desperately for Jesus to leave him alone. He wanted Jesus to leave him the way he was.

Jesus diagnosed his naked condition. He was filled with a legion of demons. As the story progresses, Jesus commanded the demons to come out of him. They entered into swine that

were feeding in a nearby field. The swine then ran over a cliff to their death.

Jesus delivered, saved and rescued the naked man. There were men tending the swine who witnessed the entire event. They ran to tell the towns people who hurriedly came to see for themselves. When they arrived, they found the man who had been the community vagrant, abusive husband and dead beat dad, sitting at the feet of Jesus. He was no longer naked, but clothed and in his right mind. His body was healed. He was cleaned up.

The life of the man in the tombs describes the status of too many men today. Many men today are so overcome by condemnation and deprivation that their lives are out of control with worldly addictions and selfish ambitions, to the extent they have lost their homes, lost their families, their jobs, are financially devastated and have ruined every meaningful relationship. Like the naked man in the tombs, they too know who Jesus is, but vehemently reject him, begging him to leave them alone. But just as Jesus diagnosed this man's naked condition, he knows every man's condition. He still has the power to command demons to flee, to clean us up, restore our minds, our relationships and our finances. He still has the power to clothe.

Chapter 2

The Naked

Matthew 8:22 "But Jesus said unto him, Follow me; and let the dead (spiritually dead) bury their own dead (physically dead)."

The naked are spiritually dead. The place of origin of spiritual death for all human kind is the Garden of Eden. From the time of the Fall until now, all are born spiritually dead. The instigator of spiritual death is Satan. The progenitor of spiritual death is Adam. The serpent's provocative conversation led to Eve's transgression, but nothing happened until Adam took the forbidden fruit and ate it. Genesis 3:7 states, "Then the eyes of them both were opened and they knew that they were naked." They became spiritually dead. They lost spiritual-awareness and gained carnal-awareness. They became more self-conscious and less God-conscious. Before sin they saw themselves as God's precious possession. Before sin they saw themselves as God saw them. Before sin they saw themselves through:

- God's eyes
- God's heart
- God's will and purpose

After sin they saw themselves as they perceived themselves as compared to their previous exalted state and to a holy and loving God. They came to the realization that they had been deceived and that what they gained from their sin was far worse and could not be compared to what they had lost. The deceitfulness of sin is the sense we will gain more from the disobedient act than what we already have—that the pleasure of sin is greater than the rewards of the promise of God (Hebrews 11:24-26).

They were no longer clothed in his glory. They were no longer dominant spiritual beings in a physical frame of reference; they were now dominant carnal beings deprived of their former dominant spiritual nature. They lost the power to do good only. They gained the power to do evil. Instead of becoming like God as the serpent proclaimed, they became directly opposed to him. Adam lost that glorious state of sinlessness and became spiritually dead.

As a consequence of spiritual death, they lost their God-way of thinking and gained a man-way of thinking. God's view of nakedness was pure, innocent, holy and beautiful. Man's view of nakedness was shameful, embarrassing and something that must be hidden or covered. Spiritual death, loss of God-consciousness also resulted in the gain of fear, lack of accountability, guilt and many other carnal infirmities (Genesis 3:10-12).

As men of God we have been struggling to see ourselves as God sees us ever since. We are trying to pay for something that has already been bought by the blood of Jesus. Many men are wandering aimlessly and do not know why. The nakedness mentality is of the devil. He is the father of lies and he is still

up to his old deceptive tricks, trying to convince us that we are naked even though we are clothed in righteousness. No one told Adam he was naked. Because of the spiritual death, he simply lost his mind, the mind he had before the Fall. He lost the ability to see himself as God saw him.

"Who told you that you were naked?" Men have yet to give God a straight answer. We keep placing blame. We too have inherited the same nature of the nakedness mindset—the naked way of thinking. We wrestle with the ability to see ourselves from God's perspective in our minds, thoughts, rationale and understanding—even though we have the mind of Christ. (1 Corinthians 2:16).

The Naked Mentality

The naked condition was evident in the religious leaders, the scribes and the Pharisees during Jesus' ministry on earth. The religious leaders were absolutely convinced that their righteousness was based on the staunch law code and their ancestry in the bloodline of Abraham. Jesus Christ could not convince them otherwise. Many believers today are absolutely convinced of their salvation through the blood of Jesus, but that the law code is still essential to righteousness. The Word of God cannot convince them otherwise.

Jewish leaders had made up their mind that the message of righteousness by faith through grace was a message of heresy. They believed in God but they rejected His Salvation, His Son and His message. Many believers today have also made up their mind that the message of righteousness by faith through grace is heresy. They believe in God and His only begotten

Sever

Son, but they reject His Salvation, His message of grace and righteousness by faith.

To believe in Jesus Christ and yet believe we are condemned—that we are still sinners who must work or keep the law code to be righteous before God is a condition of nakedness. Nakedness of this sort becomes a conscious choice made by a believer commonly referred to as self-condemnation and self-deprivation. It is a decision to not accept what Christ has done, even after coming into the knowledge of the truth. It is a state of mind that says:

He came, but he did not accomplish. He came but he did not finish. He came but he did not conquer. He came but he failed. This is the condition of a clothed man with a nakedness mentality.

Too many men receive the charge to overcome as a directive to conquer the sin nature within the scope of their own strength and power; including both physical and imagined acts of transgression. However, the first and most significant step in conquering the sin nature is to overcome the nakedness mentality of condemnation and deprivation which can only be accomplished through salvation. Our continual futile efforts to overcome condemnation leads to a heavy load of guilt, shame and loss no man has the capacity to conquer. Jesus Christ provides the solution. "Come unto me all ye that labor and are heavy laden, and I will give you rest." (Matthew 11:28)

Being overwhelmed with the burden of sin to a man who has been saved is condemnation. Clothed men should not feel overwhelmed by the burden of our failures, or the burden of

our transgressions. There is a mentality that exists in some of the sons of God where we feel the strength of our salvation only between transgressions. In other words, after a transgression we are overcome with guilt, we ask for forgiveness and then feel the love of God through his blessed pardon and mercy. He is always faithful and just to forgive us. The guilt goes away; we then sense the sweet fragrance of freedom from punishment—that is, until the next transgression. Afterwards, we begin to be overwhelmed with condemnation all over again.

Salvation is continuous, ongoing and everlasting. We are not forgiven for the time being—between transgressions. We are forgiven forevermore. We must become saturated with this truth by the renewing of our mind. We are not saved to the almost. We are saved to the utmost. Repeat this aloud with me:

"I am not saved for the time being. I am saved forevermore! I am not saved to the almost. I am saved to the utmost!"

Ephesians 2:1-4 has something to say about this issue: *As for you, you were dead in your transgressions and sins, in which you used to live when you followed the ways of this world and the ruler of the kingdom of the air, the spirit who is now in at work in those who are disobedient. All of us also lived among them at one time, gratifying the cravings of our sinful nature and following its desire and thoughts. Like the rest, we were by nature objects of wrath. But because of his great love for us, God, who is rich in mercy, made us alive with Christ even when we were dead in transgressions—it is by grace you have been saved.*

As such, there is no such thing as more or less righteous. There is no such thing as being more or less a sinner. We are either "righteous" or "sinner". The act of disobedience committed by Adam in Eden made all men sinners. The act of obedience by Jesus Christ on Calvary made all men who believe on him righteous. The naked are sinners. The clothed are righteous. There are no levels or degrees of righteousness. Through salvation we are fully clothed, fully and wholly righteous. Subsequently, there are no levels or degrees of a sinner.

Sinner vs Righteous

We are not half saved! We are not partially redeemed. Our salvation is complete. Our redemption is complete. We are fully clothed, not half naked. A partially clothed man, a man with one hand clinging to the world and the other hand clinging to the Kingdom, is still considered naked.

The naked mentality is the root cause of many men not walking in the fullness of God. Many men are not active in church or do not come to church because of condemnation and deprivation. Men who fall into this category think that the men who come to church and are active in church have got it all together. They are wrong—dead wrong! Though there are various reasons church-going men show up and all are not on the same spiritual development level, the one thing most of them have in common is a conviction that they need the Lord in their life. They come to church to seek his face.

Men who resist seeking the presence and will of God for their life are acting on the instinct of the sin nature received from Adam. Just as he hid himself in the Garden behind a tree with fig leaves for a covering, thinking he was out of the sight of God, men are hiding themselves today, using as a covering

their man caves, duck blinds and deer stands. They are hiding themselves in their bass boats, at tailgate parties, in strip clubs, and on golf courses—covered by their modern-day fig leaves. In these guises they find temporary relief thinking they are out of the sight of God. These are all but futile efforts in an attempt to prevent exposing and revealing their nakedness.

They are hiding behind the fig leaves of their careers and jobs; the fig leaves of their hobbies; the fig leaves of their business and secular success, the fig leaves of their political success and approval ratings, the fig leaves of their Hollywood stardom and celebrity awards, the fig leaves of their athletic prowess, championship rings and MVPs; and even the fig leaves of their philanthropic good deeds, in an effort to satisfy the emptiness caused by their nakedness. In spite of their prominent public name, popularity and celebrity status, they intentionally choose to associate with friends who placate them, encouraging and convincing them that their fig leaves are adequate clothing. Let me help you brother, God sees through your fig leaves. Revelation 3:1 confirms it, "I know thy works, that thou hast a name that thou livest, and art dead." In other words, God is saying. "I know what you have been up to. You think you have it going on. You think that you are living the life! You are dead!"

Fig leaves were not adequate for Adam in the Garden of Eden and fig leaves are still inadequate to clothe men today. God knew that Adam's fig leaves would eventually wither and fall off. They were inadequate and did not cover everything that needed to be covered. So also are our modern-day fig leaves, they are inadequate and not sufficient to cover all that needs to be covered. They too will eventually dry up and fall

off. Hobbies, sports, business success, celebrity status, political popularity, athletic prowess and good deeds eventually fade and lose their ability to fill the longings of a man—the longing for a restored relationship with God. The only covering suitable to resolve our nakedness and to fill our emptiness as men is Jesus Christ.

Jesus did not save us to condemn us. He saved us and set us free. He delivered us from condemnation. When he healed the man with the palsy, his retort was to go and sin no more. When he saved the Samaritan woman at the well he did not vilify her because of her history of shacking up. When he delivered the woman who was taken in adultery, after standing down the pious Jewish leaders who would stone her to death, his response was, "neither do I condemn you...Go and sin no more."

On the cross at Calvary, when Jesus said, "It is finished", he meant what he said. He meant he had fulfilled all the law established and all that the prophets had spoken regarding himself. All that was necessary to make salvation complete had been accomplished. A perfect lamb, the Lamb of God shed his blood to take away the sins of the world. It was finished indeed. Condemnation, finished! Deprivation, finished!

For a man to continue to carry the weight of the sin nature and the burden of condemnation after receiving Christ is an indication of his continuous struggle with nakedness mentality. For that man, it is not finished. He still has an ongoing debate taking place in his mind; naked one minute and clothed the next. Jesus says we are clothed, but some men are saying back to

him, "I'm naked". Jesus did not lie. He ended the debate over two thousand years ago on Calvary. It is finished.

Condemnation expects something bad to happen. Salvation expects something great to happen. Condemnation is fear and doubt. Salvation is faith and confidence. Condemnation is hell on earth. Salvation is heaven on earth.

The Indicators of the Nakedness Mentality are:

Guilt	Unrighteous
Shame	Dismay
Embarrassment	Discouragement
Hiding	Lack accountability
Cover up	Low self-esteem
Fear	Low affectivity
Blame	Low self-efficacy
Unworthy	External locus of control

No one told Adam that they were naked. He simply lost the ability to think of himself as God created him. He lost his sight; the ability to see himself as God saw him. Adam drew his own carnal conclusion that he and Eve were naked.

We too have inherited this same nature—the nakedness mentality, mindset, way of thinking. We wrestle with the ability to see ourselves as God sees us in our minds, thoughts, rationale and understanding.

The body is the house of the inner man and the soul and spirit are designers (the sources of thoughts, ideas and plans); the body executes. Man through his body has material or world-consciousness, through his soul, self-consciousness,

Dear God

and through his spirit, God-consciousness. A man cannot maximize the effectiveness of his life in this world walking around literally naked. He will be shunned everywhere he goes and will eventually end up incarcerated for indecent exposure. Likewise, a son of God cannot maximize the effectiveness of his calling and purpose in this life walking around spiritually naked. Though he is saved, his testimony is as a dead man, having no effect for the Kingdom of God. Salvation clothed us and gave us back our sight. Who told you that you were naked? As the old hymn proclaims:

*At the cross, at the cross
 Where I first saw the light;
 And the burdens of my heart rolled away;
 It was there by faith, I received my sight
 And now I am happy all the day.*

Case Study: The Emperor's New Clothes

The classic children's story written by Hans Christian Andersen, "The Emperor's New Clothes", is the perfect picture of the nakedness mindset, in the Emperor himself. In this wonderfully orchestrated book, the Emperor was so fond of new clothes he spent all his time and money in order to be well dressed. He did not care about his soldiers or his subjects. He only made public appearances just to show off his clothes.

One day two deceptive men came to his village disguised as weavers, when in all actuality they were thieves. They pretended they knew how to weave cloth of beautiful designs, patterns and colors with a very special magic cloth that could not be seen by anyone who was unfit for their office or who was very stupid. In fact, only those who were fit for their office and who were very clever could see the beautiful fabric.

The Emperor was convinced. He had to have these men make his clothes. He reasoned that if he had on these clothes, he would instantly know who in his kingdom were fit for their office and who were wise or foolish.

So he ordered large sums of money, delicate silk and the purest gold thread for the deceptive weavers who were also referred to as wicked men and rogues in the story. They kept it all for themselves.

After the work had begun, the Emperor sent trusted ministers to inspect and monitor the progress of the making of his new clothes. On two separate occasions, though the ministers saw the motions of work being performed on the looms, they saw

that over time develop experiences which are programmed into our flesh. Some are good and some are bad. As children, we hear sounds that make us feel good and sounds that frighten. We saw things that made us happy and things that made us sad. We felt and were touched by things that comforted and soothed us, and things that caused discomfort and pain. Also as kids, our taste buds recalled the sweet things, which brought delight to our tummies (like candy), but we also remembered the bitter things that made us nauseated and caused us to gag (like castor oil).

The myriad of experiences which provoke our feelings and emotions contributed to the evolution of the sensual nature. Getting a big red "A" marked at the top of the paper of our spelling test; an in-the-field home run on the little league team; a Popsicle on a hot summer day at grandmother's house; holding hands with your fourth grade girlfriend on the school bus; getting away with stealing a cookie out of the cookie jar; and wearing a new pair of Chuck Taylor Converse All-Stars all contributed to pleasurable reactions in our bodies—sensualities that incite cravings for those experiences, and imaginations, and also of how it might be possible to experience them yet again, and on a greater scale. Before a man reaches puberty, his sensuality—the awareness and focus on what makes him feel good is in full effect. "For the imagination of man's heart is evil from his youth." (Genesis 8:12c).

Three Categories of the Depraved State of Man

Of the three categories of the depraved state of man, all three begin with the word "lust". The world is the domain of Satan. His evil forces are constantly at work in human affairs

of the saved and unsaved, the righteous and the wicked, the clothed and the naked. Jesus confirmed this in his rebuke of the Pharisees in John 8:44 saying, "Ye are of your father the devil, and the "lust" of your father will you do."

Lust in the Greek is, *epithumia* which means desire, crave, and a longing for what is forbidden; concupiscence-sexual desire. Satanic lusts are like those of men but much stronger because of being agitated by spiritual forces. A redeemed man in this world order has been delivered, but is still in a relentless fight..

"For we are not fighting against people made of flesh and blood, but against the evil rulers and authorities of the unseen world, against those mighty powers of darkness who rule this world, and against wicked spirits in the heavenly realms." (Ephesians 6:12 NLT) Evil spirits and evil men have the capacity to increase in works of the flesh using their imaginative and procreative faculties in greater degrees of sin over time. *1 Timothy 3:13 declares, "But evil men and imposters will proceed from bad to worse, deceiving and being deceived."* (NASB)

The Lust of the Flesh

Lust and works of the flesh are described in several scriptures. The more comprehensive are captured in Romans 1:26-32; Galatians 5:19-21; and II Timothy 3:1-7 which are specific to redeemed men who have the tendencies of wicked or evil men, or men who have the appearance of being redeemed, but are in fact imposters. For the purpose of this study, we will review the seventeen *works of the flesh* describe in Galatians 5:19-21.

Adultery – unlawful sexual relations between men and women, single or married when one is married.

Fornication – same as adultery above besides all manner of other unlawful sexual relations.

~~Unpleasantness – whatever is opposite of purity, including sodomy, homosexuality, lesbianism, pederasty, bestiality, and all other forms of sexual perversion.~~

Lasciviousness – licentiousness, lustfulness, unchastity (sexually suggestive), and lewdness (inciting to lust); wantonness (sexually lawless) and filthy; anything tending to foster sexual sin and lust.

Idolatry – image worship, including anything upon which passions are affectionately set; extravagant admiration of the heart.

Witchcraft – sorcery, practice of dealing with evil spirits; magical incantations and casting of spells and charms upon one by means of drugs and potions of various kinds.

Hatred – bitter dislike, abhorrence, malice, and ill-will against anyone; tendency to hold grudges against or be angry at someone.

Variance – dissensions, discord, quarreling, debating, and disputes.

Emulations – envies, jealousies; striving to excel at the expense of another; seeking to surpass and out do others;

uncurbed rivalry spirit in religion, business, society, and other fields of endeavor; fervent minded; envy; jealousy; and indignation.

Wrath – indignation and fierceness; turbulent passions; domestic and civil turmoils; rage; determined and lasting anger.

Strife – contention; disputing; jangling; strife about words; angry contentions; contest for superiority or advantage; strenuous endeavor to equal or pay back in kind the wrongs done to one.

Seditions – divisions; parties and factions; popular disorder; stirring up strife in religion, government, home or any other place.

Heresies – a doctrinal view or belief at variance with the recognized and accepted tenets of a system, church, or party. It takes on an evil meaning when sound doctrine is rejected and fallacy is accepted and taught in preference to truth. Heretic-a person who holds a heresy, a dissenter, a nonconformist.

Envy – Pain, ill-will, and jealousy at the good fortune or blessing of another; the most base of all degrading and disgraceful passions.

Murders – To kill; to spoil or mar the happiness of another; hatred.

Drunkenness – Living intoxicated; a slave to drink; drinking bouts.

Revelling – Rioting; lascivious and boisterous feasting, with obscene music, and other sinful activities; pleasures; carousing.

“But chiefly them that walk after the flesh in the lust of uncleanness, and despise government; presumptuous are they, self-willed, they are not afraid to speak evil of dignities.” 2 Peter 2:10

Every one of these infirmities of the flesh are rooted in deprivation—the overwhelming sense of not having enough, consequently engaging in carnal, man-made solutions to fill the void of emptiness and lack. Notice the top four matters of lust of the flesh are related to sex. God’s plan and purpose for sex is always enough. Sex outside of God’s plan and purpose always leaves a man empty, causing him to pursue greater frequency and variety to be sexually fulfilled. He never has enough.

How Much Sex is Enough

So how much sex is enough? To answer the question, let’s start with the fundamentals. God created sex. His purpose for sex was in accordance with his plan for populating the earth. Because of the number of people required to fill his population agenda in the beginning and across centuries and generations, he intended it to be something that both Adam and Eve would enjoy immensely and frequently. It takes several attempts for conception to occur in some cases. As such, God wanted each effort to be an enjoyable experience so Adam and Eve would keep trying—over and over and over again!

Additionally, since God made sex for procreation, he only intended it to be between a man and a woman. Since procreation

is a spiritual act between carnal beings, God intended it to occur only in the institution of holy matrimony—marriage.

During the rigors and pain of childbirth women often conclude they will never go through the experience again. In other words, she vows she will never have sex again. Thank goodness those thoughts are only temporary. Subsequently, soon after cradling the bundle of joy in her arms, within a short period of time the delight of motherhood gives way to the ecstasy of what made it all possible. Her desire for sexual intimacy is restored and the procreative process begins again.

in holy matrimony, even after a couple has met their charge to be fruitful and will have no more children, the desire for sexual intimacy still exists. So they continue to affectionately enjoy each other in ways that bring one another pleasure, honoring God without defiling their bodies and until death breaks the holy union. This is the lifestyle of sex intended by the Creator. This is the kind of sex that fulfills a man—a clothed man.

Sexual acts pursued for purposes other than procreation and marital pleasure in holy matrimony is the sex life of a naked man. When men are unrestrained in their quest for sex outside of God’s purpose they will never be fulfilled. Naked men refuse to give in, so they pursue sexual fulfillment through multiple partners, ~~with the opposite sex, vulgar sex and sexual intercourse~~ ~~marriage and many other vile, vulgar and inappropriate ways~~ ~~which defile the body and please the individual.~~ This is the kind of sex that leaves a man continually empty—the sex life of a naked man. Who told you that you were naked?

top 4 = sex

Adopts us to God's family Bears witness of sonship
 Helps our infirmities Makes intercession for saints

There is no amount of work or good deeds a man can perform to atone for his sins and stay that way. Once we have confessed Christ, we are clothed in his righteousness. We are no longer the man we were before. We are new creatures. Old things have passed away. All things have become new. We are born again! We are delivered! Set free! No more condemnation.

To sustain the mind of Christ we must walk in the Spirit. The ways and habits that cause us to feel naked occur when we are walking in the flesh. The ways and habits which create our awareness of being clothed occur when we are walking in the Spirit.

"Walking in the Spirit" is a continuous steady-state of moving forward step by step toward the purpose and calling of God—falling down, getting back up again, relentlessly pursuing a God-ordained Kingdom destiny. Walking in the spirit is a way of life which seeks the pleasures of the Kingdom of God. Conversely, "walking in the flesh" is a continuous steady-state of moving forward step by step toward the lust of the flesh, the lust of the eyes and the pride of life—falling down, getting back up again, relentlessly pursuing carnal cravings which ultimately lead to destruction. Walking in the flesh is also a way of life but with a different motive. It is a lifestyle which seeks the pleasures of the world. If we walk in the Spirit we are inclined toward the things of the Spirit. If we walk in the flesh we are more inclined toward the things of the flesh. Walk in the spirit and you shall not fulfill the lust of the flesh.

Walking in the Spirit

Mind things of the Spirit
 Spiritually minded
 Reconciled to God
 Submitted to God
 In the Spirit
 Belongs to Christ
 Dead to sin
 Spiritually alive
 Christ led life
 Spirit-filled
 Debt-free flesh
 Righteous Life
 Spirit is helper
 Eternal life

Walking in the Flesh

Mind things of the flesh
 Carnally minded
 Enmity with God
 Not subject to God
 In the Flesh
 None of His
 Alive to sin
 Spiritually dead
 No Christ
 Carnal
 Debtor to the flesh
 Sinful life
 Self is helper—no help
 Death

Walking in the Spirit is a steady-state of moving forward step by step toward the purpose and calling of God; falling down, getting back up again; relentlessly pursuing a God-ordained destiny. Jesus said, "...if any man will come after me, let him deny himself, and take up his cross daily, and follow me. (Luke 9:23) Walking involves submitting our will to the Lordship of Christ and accepting the challenge of sufferings associated with our spiritual growth and development on a day to day basis for the purpose of following Christ.

To fulfill God's calling on our lives, our walk must not only be daily but must also be diligent. Daily means occurring each day. Diligently is defined as constant in effort to accomplish something. Diligent also indicates attentive and persistent in doing. Walking in the Spirit is a step by step process. In other



CITY OF ATLANTA

KASIM REED
MAYOR

68 MITCHELL STREET S.W. • ATLANTA, GEORGIA 30303-0306
TEL: 404-330-6360 • FAX: 404-658-6892

DEPARTMENT OF HUMAN RESOURCES
YVONNE COWSER YANCY
COMMISSIONER

November 24, 2014

Mr. Kelvin Cochran
1255 New Britain Drive
Atlanta, GA 30331

RE: Notice of Thirty (30) Day Suspension Without Pay

Dear Mr. Cochran:

This notice of a thirty (30) day suspension without pay is being issued to you for your performance of an action that constitutes a "cause of action" as outlined in Section 114-528 of the Code of Ordinances City of Atlanta.

In accordance with Section 114-529, "Procedures for Imposing Disciplinary Action", the appointing authority or designee may suspend an employee for the performance of a cause of action as set forth in Section 114-528. As such, you are to serve the thirty (30) day suspension without pay effective today, Monday, November 24, 2014 and you are to return to work at the expiration of this suspension on Monday, January 6, 2014.

Should you have any questions please contact the undersigned at 404.330.6408.

Sincerely,

A handwritten signature in black ink, appearing to read "Yvonne Cowser Yancy".

Yvonne Cowser Yancy
Commissioner of Human Resources

cc: Cathy D. Hampton, City Attorney



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Kasim Reed

January 13, 2015

Last week, I made the decision to terminate our Fire Chief, Kelvin Cochran. It was a decision that was not made lightly because I appreciated Chief Cochran's service to the City of Atlanta. While you may have read articles that asserted the issue at hand was Chief Cochran's religious beliefs, I can assure you that those comments could not be further from the truth.

The truth is that I am a man of deep faith myself, and we are a city of laws. Chief Cochran's book, "Who Told You You Were Naked," was published in violation of the city's Standards of Conduct, which required prior approval from the Board of Ethics. I believe his actions, decisions, and lack of judgment undermined his ability to effectively manage a large, diverse workforce. Every single City of Atlanta employee deserves the certainty that he or she is a valued member of the team and that fairness and respect guide our employment decisions. His actions and his statements during the investigation and his suspension eroded my confidence in his ability to serve as a member of my senior leadership team.

Please take a moment to read this editorial that was published in today's New York Times.

Thank you for all of your kind offers of support. Please take a moment to remind everyone you know that the City of Atlanta is a city too busy to hate.

God, Gays and the Atlanta Fire Department

The mayor of Atlanta was right to dismiss the chief of the fire department for imposing his virulent anti-gay views on his work force.

NYTIMES.COM | BY THE EDITORIAL BOARD

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Tarra Holman Freedom of speech does NOT mean freedom from consequence.

211 January 13, 2015 at 11:08am

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Asher Noll I beg to differ with you, that's exactly what it means, otherwise there would be know need to protect that right. What you're saying is that freedom of speech is only a freedom if you think it, believe it, but don't say it. If that was the case it would be called freedom of thought, not speech. And besides this issue is more about religious freedom than it is freedom of speech.

21 January 13, 2015 at 12:04pm

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Kevin Sandlin Mayor Reed, you violated Chief Cochran's first amendment right to free speech. Just because you and others don't agree with Cochran's faith, and his expression of his faith in a book that he wrote on his own time, does not make it legal for you to fire him. Holding to that standard, you are obligated to fire every professing Christian employed by the City of Atlanta.

166 · January 13, 2015 at 10:47am

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Shawn Davis You clearly didn't read the statement. It wasn't about faith it was about his ability to lead effectively without bias

42 · January 13, 2015 at 10:52am

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NOTES

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Kasim Reed

November 24, 2014

Late last week, Mayor Reed learned about material published in a book by Atlanta Fire and Rescue Chief Kelvin Cochran. The contents of the book do not reflect the views of Mayor Reed or the Administration. Mayor Reed's full statement is below:

I was surprised and disappointed to learn of this book on Friday. I profoundly disagree with and am deeply disturbed by the sentiments expressed in the paperback regarding the LGBT community. I will not tolerate discrimination of any kind within my administration.

We are conducting a thorough review of the facts surrounding the book and its distribution. In the interim, I have directed that the following steps be taken:

- Chief Cochran will be suspended for one month without pay;
- Chief Cochran will be required to complete sensitivity training;
- Chief Cochran will be prohibited from distributing the book on city property; and
- Deputy Chief Joel G. Baker will serve as Acting Fire Chief in Chief Cochran's absence.

I want to be clear that the material in Chief Cochran's book is not representative of my personal beliefs, and is inconsistent with the Administration's work to make Atlanta a more welcoming city for all of her citizens - regardless of their sexual orientation, gender, race and religious beliefs.

Like Comment

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Steve Erwin What the Mayor showed was that he is disturbed by and disagrees with conservative Christian values and will take any step necessary to punish any city employee caught speaking out about those values. Intolerance will not be tolerated! To take this a... See More

174 · November 24, 2014 at 2:30pm · Edited

36 Replies



Kevin Sandlin Mayor Reed: Are we to understand now that, based on the suspension of Chief Cochran for statements made in a book he personally wrote, that city employees are not allowed to express their Biblical faith at all? Are city employees FORCED to agree with... See More

176 · December 2, 2014 at 12:50pm · Edited

17 Replies

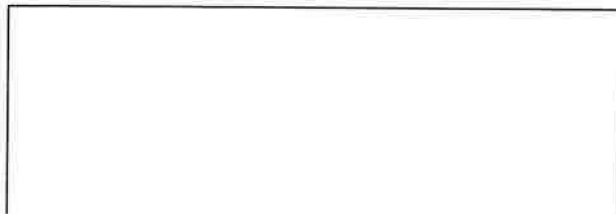
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Kasim Reed shared a link.

August 16, 2014



Who Told You That You Were Naked?



Kelvin J. Cochran

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**WHO TOLD YOU THAT
YOU WERE NAKED?**

Overcoming the Stronghold
of Condemnation

Kelvin J. Cochran

Contents

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About the Author

Kelvin J. Cochran is a native of Shreveport, LA, who now calls Atlanta, GA his home. He is a devout Christian man pursuing the life of a Psalm 112 man and the promises of Deuteronomy 28:1-14. His greatest desire is to fulfill the purpose of God for his life and to be living proof of God's exceeding great and precious promises.

Kelvin is a husband and father of three, with one granddaughter; and a faithful member of Elizabeth Baptist Church, Atlanta, GA where he serves as a deacon and teacher. He has thirty-two years in the Fire Service and has served as Fire Chief for the City of Shreveport Fire Department (LA); United States Fire Administrator (Washington, D.C.) and is currently serving as Fire Chief of the City of Atlanta Fire Rescue Department (GA).

Acknowledgement

I thank God for choosing me to deliver this message to redeemed men of the Body of Christ who wrestle with the stronghold of condemnation. I pray also that by the grace of God it will find its way into the hands of men who have not confessed Christ as Savior and Lord. While I am still a work in progress, my life is a testimony of the struggle with condemnation and how a man can grow from strength to strength, through diligent pursuit of fulfilling God's purpose for his life through the Word of God.

My wife Carolyn and my children Tiffane, Kelton and Camille, and my granddaughter Thailyn, inspire me day by day, to be the man God has called me to be. Their love and support keeps me striving for greater heights and depths of seeking the glory of God for our household and the generations of Cochran's to come.

The men in my bible study small group on Friday mornings at Q-Time Restaurant and the men of my Quest for Authentic Manhood small group at Elizabeth Baptist Church both inspired me to take what was initially a six week lesson plan to study this topic, to a book. Sharing the lesson plan with my brothers on Friday mornings convinced me that more men would be blessed from this study.

To God be the glory for what happens from here!

Introduction

Genesis 3:7-11 Then the eyes of both of them were opened, and they knew that they were naked; and they sewed fig leaves together and made themselves loin coverings. They heard the sound of the Lord God walking in the garden in the cool of the day, and the man and his wife hid themselves from the presence of the Lord God among the trees of the garden. Then the Lord God called the man, and said to him. "Where are you?" He said, "I heard the sound of you in the garden, and I was afraid because I was naked; so I hid myself." And he said, "Who told you that you were naked?"

During a six-month men's small group study of "The Quest for Authentic Manhood", from the Men's Fraternity Series by Dr. Robert Lewis, Session 15: Genesis and Manhood, Part I focused on God's purpose for creating man. As the facilitator of the session, I was fascinated when the men begin to share their thoughts on the consequences of Adam's decision from then until now. It became quite clear that the generational consequences of the sinful nature are still in full effect—even for men who have been redeemed.

As we continued the discussion on challenges we were all facing as men, it also became clear that God's reaction and response to Adam's transgression had generational implications as well. After walking through the garden and not finding Adam as he had on many other occasions, he called out for

him. From his hiding place, Adam confessed he and Eve were in fact hiding because they were naked.

God's reaction was in the form of a question that has gripped my spirit and consequently led to this study. *"Who told you that you were naked?"* I was convinced after hearing each man in our group share personal struggles with the sinful nature that there was much more to the question from God's perspective. *"Who told you that you were naked?"* meant much more than *"Who told you that you did not have on clothes?"*

God knew things would not be the same. However, he was determined to redeem Adam and Eve to a meaningful relationship with himself. His judgment would stand, but to continue with his plan for mankind, Adam's solution of fig leaves would not suffice. So God clothed them with coats of skin through shedding the blood of an innocent lamb. This redemptive solution by God would have generational implications for all of mankind.

The term "naked" in its English translation has been primarily associated with the meaning of being completely nude or without clothing (v.7). However, this definition is but one of many in the Bible. In the King James Version, the word "naked" is used forty-five (45) times and the word "nakedness" is used forty-three (43) times. After a comprehensive review of the use of both words in their proper context, a common theme emerges, God's definition and use of the word "naked" is more comprehensive than Adam's discovery and subsequent use of the word "naked".

Before Adam's discovery of his condition after the transgression, the word had never been spoken. The

instantaneous transformation of his condition from what he had previously known resulted in a shock and awe for Adam that literally blew his mind. That radical reaction led to an astonishing visual revelation, "they saw that they were naked". Yes it includes totally nude, the loss of being clothed with glory, but was also associated with many other consequences (condemnation) and losses (deprivation) that they were yet not aware of before they ate the forbidden fruit.

When God asked the question, "Who told you that you were naked?" he was fully aware of the fullness of the depth and scope of what the word meant for his precious creation. Sin brought condemnation. Condemnation wrought deprivation. Adam never gave God a straight answer to the question. Men today have yet to give God a straight answer. It's time we answer the question, "Who told you that you were naked?"

Overcoming the Stronghold of Condemnation

"In the world ye shall have tribulations: but be of good cheer; I have overcome the world." John 16:33

Jesus overcame all of earth's furies, all of the world's devices. He overcame each trial, tribulation, test and temptation, time and time again. The powers of the adversary were strained to the utmost to break him. They failed. Jesus overcame and conquered for our sake, not for his own sake. From an outside perspective, based upon the persecution and suffering that the people saw him going through, the persecution and the crucifixion, he was conquered. Even in the thoughts of his faithful followers, he was defeated (God Calling, 1989).

In his earthly mission, he came not just to show us God the Father, but he also came to show us God the Son, unconquered, unharmed, untouched by evil and its power. His resurrected body was and is the evidence of his victory over all of earth's furies.

As sons of God, we must share in the experience of his tribulations. Christ's overcoming gives us courage and confidence. In his conquering power we will walk in victory, unharmed and untouched by the evil one and his power.

Overcoming defined is:

- To get the better of in a struggle or conflict; conquer; defeat—to overcome the enemy
- To prevail over (opposition, a debility, temptations, etc.); surmount—to overcome one's weaknesses
- To overpower or overwhelm in body or mind, as does liquor, a drug, exertion or emotion—overcome with guilt
- To overspread or overrun
- To gain the victory: win; conquer—a plan to overcome by any means possible

Stronghold defined is:

- A net
- A snare

Through the act of one man's offense death has reigned by one man—Adam. But we who have received the abundance of grace and of the gift of righteousness shall reign in life by one man—Jesus Christ. (Romans 5:17) Many sons of God are not reigning in life victoriously because we are overcome with

the stronghold of condemnation. Those who suffer with this affliction have placed more emphasis on what Adam did in the Garden of Eden, than on what Jesus did on Calvary. The greatest weapon the enemy has against a man after he has made a confession of faith is condemnation. It spiritually shackles a man to his past, his sinful nature, an enslaved mind and does not allow him to walk in the freedom of his salvation. Christ has overcome the stronghold of condemnation. Condemnation has been conquered. Who told you that you were naked?

Chapter 1

The Fall into Condemnation

When the woman saw that the tree was good for food, and that it was a delight to the eyes, and that the tree was desirable to make one wise, she took from its fruit and ate; and she gave also to her husband with her, and he ate. The eyes of both of them were opened, and they knew that they were naked; Genesis 3:6-7a

The Origin of Condemnation

In the beginning, God formed Adam from the dust of the earth; and Eve was formed from a rib taken out of Adam. God nurtured and cared for them. They had a very intimate, visible, physical and interactive relationship with one another.

God established Adam as the chief steward, the earth-blessor. He had authority over everything God created. God empowered Adam to prosper in all things.

God created the Garden of Eden and placed Adam and Eve there, to cultivate it and to keep it. They were both physically naked (Genesis 2:25), but spiritually clothed in glory, holiness, honor and righteousness. They were not ashamed.

Adam walked with God, in the fullness of God. He saw himself as God created him, as God purposed for him. After eating the forbidden fruit, he saw himself different from how God saw him. The words of the serpent caused him to do something God told him not to do. That act of disobedience changed how Adam saw himself and how God saw him. The clothing of glory, holiness, honor and righteousness was gone! Adam and Eve required a physical covering and could no longer share the same level of intimacy with God. They had to be separated from the God of Glory, Holiness, Honor and Righteousness. They were *naked*.

Adam's reaction to his spiritual demotion and his physical *nakedness* introduced guilt, shame, fear and death to what was formally perfection. This spiritual demotion and physical revelation brought condemnation and deprivation to the human spirit, body and soul—even all of creation (Romans 8:22). Condemnation and deprivation are the greatest barriers to a man walking in the fullness of his purpose and in the fullness of God in an intimate relationship (Hebrews 11:6).

The mindset that Adam had after his sin was that *nakedness* is shameful, embarrassing and a reason to be afraid. His realization of what he had done caused a deep disappointment he had never experienced. Why was he so ashamed and embarrassed? He realized he doubted the excellence and perfection of God concerning his and Eve's life purpose. He no longer saw himself as God saw him—perfect, holy and righteous. He realized that what he had lost was greater than what he gained from his transgression and that he would never get it back. Just as he

emphatically knew he was naked, he also had an overwhelming conviction that things would never be the same.

Sin is like that. It is so deceitful to make us believe that what we will gain from a transgression is greater than what God has promised. The truth of the matter is we always lose more than we gain when we sin. Consequently, carnal emotions, feelings, sensations and rationale entered into the human soul creating enmity between God and man from then until now. We are born into condemnation.

Eerdman's Dictionary of the Bible indicates that some New Testament writings characterize man's choice of sin as a "*fall under condemnation of the devil*" and a "*fall under condemnation*". *Not a novice, lest being lifted up with pride he fall into condemnation of the devil.* (1 Timothy 3:6);

Pride was one of three temptations which caused Eve to eat the forbidden fruit. She was told by the serpent she would be like God, knowing good and evil. This scripture indicates that condemnation originated from the devil and is sustained by the devil.

But above all things, my brethren, swear not, neither by heaven, neither by the earth, neither by any other oath: but let your yea be yea; and your nay, nay; lest ye fall into condemnation. (James 5:12).

Condemnation is once again associated with a fall. When a man does not keep his word or makes a vow or an oath with wrong motives, there is a potential for that man to fall into condemnation.

Condemnation occurred when Adam ate, not Eve. Their eyes were opened and they saw that they were naked. Sin changed their predominately spiritual condition to a predominately physical condition. They were both overwhelmed with a sense of doom and loss. As such, when a man is under condemnation, it affects his wife and family. However, when a man overcomes the stronghold of condemnation, it blesses his wife and influences the atmosphere in his entire household.

Things Adam and Eve lost:

- They lost their ability to see spiritual things
- They lost their mind, their God-way of thinking
- They lost their paradise
- They lost their lifespan
- They lost their of purpose
- They lost God consciousness: God is with me, on my side, pleased with me
- They lost their intimacy with God: no longer was he visible, accessible and approachable
- They lost their confidence toward God

Adam Before the Fall

Everything was created and provided for Adam before he was formed by God (Genesis 1:1-26). Before the fall, Adam had it made. God made a special habitat for him to live in and to thrive. God made him a garden, placed him in it and gave him job specifications (Genesis 2:8-17). God gave him the assignment of naming all creatures and with the assignment, gave him the

knowledge he needed to get the assignment accomplished without God's intervention and supervision.

Whatever Adam called a living creature that was its name. If Adam said it, that was it! (Genesis 2:19) After successfully completing all his assignments and proving himself obedient, God took a rib from him, made a woman and brought her to him to be his wife. The two of them were one flesh. They were naked. They were not ashamed (Genesis 2:23-25).

Sin entered creation through Adam. Since that time all men have been born with a sinful nature. We have all inherited the nature of sinfulness (nakedness). Salvation entered creation (the world) through Jesus Christ. Consequently, from the time of his resurrection all who have confessed him as Savior and Lord and have been baptized are born again and have taken on his nature of righteousness (clothed). In other words, we are clothed with Christ and are no longer naked! (Galatians 3:27) Who told you that you were naked?!

The naked mindset places greater emphasis on what Adam did. The clothed mindset places greater emphasis on what Jesus has done.

<u>Adam</u>	<u>Jesus</u>
Son of God	Son of God
Made flesh from dirt	Made flesh from the Spirit
Sinner	Righteous
Nature of Sin	Nature of Righteousness
Condemnation	Redemption
Deprivation	Restoration
Naked	Clothed

Nakedness Defined

According to Eerdman's Dictionary of the bible, nakedness is defined as totally nude or inadequately clothed. Although total nudity could be associated with the innocence of a new born child it was most often a euphemism for sexual organs or sexual activity (Lev. 18:1-23; 20:10-21; Ezek. 16:8).

The first use and context of the word *naked* was not associated with *sex organs* or *sexual activity*. It was associated with a *death to life with God* as they knew it; a loss of spirituality; and an awakening to carnality. Adam and Eve's own shame at the recognition of their nakedness in the wake of their disobedience (Gen. 3:7) is but one example of the facts that nakedness was associated with a variety of human conditions (most of which are associated with the conditions of condemnation and deprivation) often considered shameful or humiliating (Isa. 47:3).

Nakedness symbolized adulterers (1 Sam. 20:30) and was often a defining characteristic in metaphors depicting those who rejected God as either adulterers or prostitutes (Ezek. 16: 36-37; Rev. 17:16). In other words, when a person, tribe or nation *rejects God*, they are naked.

Nakedness in the sense of being inadequately clothed is one of the several types of deprivations used to represent both *poverty* (Job 24:10; Isa. 58:7; James 2:15) and *oppression by one's enemy* (including "the enemy") (Deut. 28:48; Rom. 8:35). Consequently, it was used as a figure of *judgment* against Israel. [A nakedness mindset is a *punishment*; a *curse* (Ezek. 23:29) to nations (Isa. 20:2-4) or individuals (Hos. 2:3 [MT 5]).

Nakedness was also associated with ecstatic spiritual states, both positively (1 Sam. 19:24; 2 Sam. 6.20-21) and negatively (Luke 8:27) and laws regarding the attire of priests and the construction of altars showed a particular concern that they avoid accidentally exposing themselves during the performance of their duties (Exodus 20:26; 28:42) whether these laws were a direct reaction against Canaanite religious practices, as some have suggested or reflected a more general taboo regarding nakedness is subject to debate. The priests' attire made them "clothed in righteousness" completely covered. If any part of the body was exposed during their holy duties before our holy God—the judgment was death.

Being spiritually "clothed" or "covered" is an absolute imperative for meaningful interaction with God. God despises nakedness because of its origin in sin, not because he can't look at a totally nude body. Nakedness to God is a visual reminder that his original plan for mankind was destroyed by disobedience. It created enmity between God and man. The Fall has created two human conditions which initiated and continues to widen the gap between God and man. The two human conditions are condemnation and deprivation. All carnal infirmities which prevent a man from walking in his God-ordered purpose and destiny fall under one of these two categories.

The Naked Condition

Condemnation is the consequence of Adam's disobedience. It describes the adverse spiritual and psychological conditions associated with nakedness. Condemnation is a death sentence. We are all condemned to die. It is an overwhelming, insurmountable sense of being unworthy or inadequate,

accompanied by the sense that there is nothing we can do to stop it.

Deprivation is a consequence of condemnation. It describes the adverse spiritual, psychological and physical losses associated with nakedness. Deprivation is a removal from ecclesiastical office with all its provisions and benefits; dispossession; loss. It is the overwhelming, insurmountable sense of not having enough, accompanied by a never ending quest to be fulfilled.

The human condition of condemnation is an inherent steady state of accusation, blame, censure, damnation, denouncement, *denunciation*, disapproval, doom, judgment, proscription, reproach, reprobation, reproof, sentence and stricture.

From denunciation comes the sense of arraignment, castigation, cursing, and derogation, dressing down, incrimination, reprehension, smearing, stigmatization, upbraiding, and vilification.

The human condition of deprivation is an inherent steady state of dispossession, denial, destitution, disadvantage, distress, divestiture, expropriation, hardship, loss, removal, seizure, want, withdrawal, and withholding.

Conditions of Deprivation: Men Struggles

Fatherhood	Marriage
Reconciliation	Stubbornness
Forgiveness	Jealousy
Anger	Rebellion
Envy	Temptation

Depression	Arrogance
Lack	Rejection
Uncertainty	Greed
Additions	Hopelessness
Commitment	Covetous
Disappointment	Trust
Fear	Surrender
Pride	Lust

The consequences of what occurred in the Garden of Eden has transcended generations. All men are infected with the sinful nature. Condemnation and deprivation are the drivers that result in many afflictions and many infirmities for men. No one is immune. Which of the conditions listed are most applicable to your struggles as a man?

Biblical Men with Deprived Experiences

You are not alone. You are not the first to experience these struggles and you will not be the last. The bible has case studies of many men who had challenges with these conditions. Some are touted as bible villains, but there are many we would celebrate as biblical heroes. Consider these challenges and some of the men who struggled in these areas.

- Fatherhood: Jacob, David, Eli, Samuel
- Additions: Sampson, Solomon
- Jealousy: Cain, Saul
- Temptation: Judah & Tamar; David & Bathsheba
- Reconciliation: Jacob & Esau; David & Absalom
- Depression: Elijah, Hezekiah and Asa
- Stubbornness: Saul, Jeroboam, Ahab

The consequences of the naked condition are quite significant and are played out in the lives of all mankind. Consider the following as described in Deuteronomy 28:15-68. (Dake's pp. 227).

- 15 consequences upon children and material prosperity
- 30 consequences of sickness, crop failure, war, captivity, business failure and poverty
- 26 new and old consequences of defeat, captivity, sickness, persecution and insanity
- 21 consequences of slavery, death, cannibalism and extreme poverty

The Clothed Condition

Salvation through Jesus Christ reverses all the effects of the Fall and provides a spiritual transformation. Being born again changes our human condition and restores a man to his dominate spiritual condition. We die to the nature of Adam—the sin nature. We inherit the nature of Christ—the righteous nature.

Jesus—the second Adam, was born of God's Spirit-Seed through the virgin birth—through Mary. Jesus was born God, manifested in human form. It is the Spirit-Seed of God that makes Jesus the only begotten Son. Jesus was born righteous (sinless) and remained sinless until he died on Calvary. He is the first human to be born through the Spirit-Seed of God. He is the only human to be born of the Spirit-Seed of God by way of the virgin birth. As such, he is the "first born of many brethren".

Our natural birth is by way of man-Seed through the procreative process or intercourse between a man and a woman. Because of the first Adam, we are born sinners and will remain

that way until the day we die. Praise be to God that we do not have to die as sinners. Through faith in Jesus Christ we can become sons of God and receive his righteous nature. When we are "born", our human DNA dominates our ways, habits and manner of life. When we are "born again" our human DNA is overcome by God's spiritual DNA—the Holy Spirit. Through this divine regeneration we become sons of God. To make it plain, the Son of God became the Son of man, in order that the sons of men may become the sons of God.

The blood of Jesus severed the blood lineage of our humanity. We are no longer identified by the nature of Adam in God's eyes. We are identified by the nature of Jesus Christ in God's eyes. Because the blood line of our humanity has been severed by the blood of Jesus, the description of our lineage is no longer: Adam begat Seth; and Seth begat Enosh, and Enosh begat Kenan.....Or in the case of my family, Otis begat George; and George begat Kelvin; and Kelvin begat Kelton and so on. To put it another way, our relationship to the Father is no longer through generational lineage. God has no grandchildren, only sons and daughters. As such the sequence of our lineage is, God begat Jesus (the first born); and God begat Kelvin; and God begat Kelton. Jesus is God's Son. I am God's son, and my son is God's son. We are joint-heirs with Christ. All men who are born again are sons. We are in the direct lineage of God the Father as sons begotten of the Spirit of God.

Hebrews 1:5-6 confirms it. *For unto which of the angels saith he at anytime, thou art my son, this day have I begotten thee? And again, I will be to him a Father, and he will be to me a son? And again, when he bringeth in the first begotten into the world, he saith, and let all the angels of God worship him.*

1 Peter 1:3-4 also provides evidence. *Blessed be the God and Father of our Lord Jesus Christ, which according to his abundant mercy hath begotten us again unto a lively hope by the resurrection of Jesus Christ from the dead. To an inheritance incorruptible and undefiled, and that fadeth not away, reserved in heaven for you.*

As born again sons of God we are transformed from a naked condition to a clothed condition; from world consciousness to God-consciousness. Condemnation is reversed to an inherent spiritual state of absolution, acquittal, cleared, discharged, exonerated, freed, pardoned, and released. Consequently, deprivation is overcome by an inherent spiritual state of bestowal, endowment, giving, indulgence, offering, presentation, and supply.

Case Study: Jesus and a Naked Man

Luke 8:26-39 provides a phenomenal case study on how Jesus makes the difference in the worst case scenario of naked men. When Jesus had traveled to the country of the Gerasenes over against Galilee, it was there where he met a certain homeless man living in a cemetery, possessed with demons.

The NIV Bible description states, "For a long time this man had not worn clothes or lived in a house, but lived in the tombs." This man had been naked and homeless for a long time. According to the text, he had a home and a family. His naked condition existed long before it evolved to a state of him not having on any clothes. He was spiritually naked before he became physically naked.

There were many attempts from others to help him, to keep him from hurting himself and others. They would often bind him in chains and fetters, however, on every occasion he would break them off. He eventually got fed up with his family and friends persistent efforts and fled to live in the tombs—naked.

One of the interesting facts about this case is, the naked man knew who Jesus was and came out to meet him. He fell at Jesus' feet and cried out. His motive was not worship or deliverance, but rejection. He wanted desperately for Jesus to leave him alone. He wanted Jesus to leave him the way he was.

Jesus diagnosed his naked condition. He was filled with a legion of demons. As the story progresses, Jesus commanded the demons to come out of him. They entered into swine that

were feeding in a nearby field. The swine then ran over a cliff to their death.

Jesus delivered, saved and rescued the naked man. There were men tending the swine who witnessed the entire event. They ran to tell the towns people who hurriedly came to see for themselves. When they arrived, they found the man who had been the community vagrant, abusive husband and dead beat dad, sitting at the feet of Jesus. He was no longer naked, but clothed and in his right mind. His body was healed. He was cleaned up.

The life of the man in the tombs describes the status of too many men today. Many men today are so overcome by condemnation and deprivation that their lives are out of control with worldly addictions and selfish ambitions, to the extent they have lost their homes, lost their families, their jobs, are financially devastated and have ruined every meaningful relationship. Like the naked man in the tombs, they too know who Jesus is, but vehemently reject him, begging him to leave them alone. But just as Jesus diagnosed this man's naked condition, he knows every man's condition. He still has the power to command demons to flee, to clean us up, restore our minds, our relationships and our finances. He still has the power to clothe.

Chapter 2

The Naked

Matthew 8:22 "But Jesus said unto him, Follow me; and let the dead (spiritually dead) bury their own dead (physically dead)."

The naked are spiritually dead. The place of origin of spiritual death for all human kind is the Garden of Eden. From the time of the Fall until now, all are born spiritually dead. The instigator of spiritual death is Satan. The progenitor of spiritual death is Adam. The serpent's provocative conversation led to Eve's transgression, but nothing happened until Adam took the forbidden fruit and ate it. Genesis 3:7 states, "Then the eyes of them both were opened and they knew that they were naked." They became spiritually dead. They lost spiritual-awareness and gained carnal-awareness. They became more self-conscious and less God-conscious. Before sin they saw themselves as God's precious possession. Before sin they saw themselves as God saw them. Before sin they saw themselves through:

- God's eyes
- God's heart
- God's will and purpose

After sin they saw themselves as they perceived themselves as compared to their previous exalted state and to a holy and loving God. They came to the realization that they had been deceived and that what they gained from their sin was far worse and could not be compared to what they had lost. The deceitfulness of sin is the sense we will gain more from the disobedient act than what we already have—that the pleasure of sin is greater than the rewards of the promise of God (Hebrews 11:24-26).

They were no longer clothed in his glory. They were no longer dominant spiritual beings in a physical frame of reference; they were now dominant carnal beings deprived of their former dominant spiritual nature. They lost the power to do good only. They gained the power to do evil. Instead of becoming like God as the serpent proclaimed, they became directly opposed to him. Adam lost that glorious state of sinlessness and became spiritually dead.

As a consequence of spiritual death, they lost their God-way of thinking and gained a man-way of thinking. God's view of nakedness was pure, innocent, holy and beautiful. Man's view of nakedness was shameful, embarrassing and something that must be hidden or covered. Spiritual death, loss of God-consciousness also resulted in the gain of fear, lack of accountability, guilt and many other carnal infirmities (Genesis 3:10-12).

As men of God we have been struggling to see ourselves as God sees us ever since. We are trying to pay for something that has already been bought by the blood of Jesus. Many men are wandering aimlessly and do not know why. The nakedness mentality is of the devil. He is the father of lies and he is still

up to his old deceptive tricks, trying to convince us that we are naked even though we are clothed in righteousness. No one told Adam he was naked. Because of the spiritual death, he simply lost his mind, the mind he had before the Fall. He lost the ability to see himself as God saw him.

"Who told you that you were naked?" Men have yet to give God a straight answer. We keep placing blame. We too have inherited the same nature of the nakedness mindset—the naked way of thinking. We wrestle with the ability to see ourselves from God's perspective in our minds, thoughts, rationale and understanding—even though we have the mind of Christ. (I Corinthians 2:16).

The Naked Mentality

The naked condition was evident in the religious leaders, the scribes and the Pharisees during Jesus' ministry on earth. The religious leaders were absolutely convinced that their righteousness was based on the staunch law code and their ancestry in the bloodline of Abraham. Jesus Christ could not convince them otherwise. Many believers today are absolutely convinced of their salvation through the blood of Jesus, but that the law code is still essential to righteousness. The Word of God cannot convince them otherwise.

Jewish leaders had made up their mind that the message of righteousness by faith through grace was a message of heresy. They believed in God but they rejected His Salvation, His Son and His message. Many believers today have also made up their mind that the message of righteousness by faith through grace is heresy. They believe in God and His only begotten

Son, but they reject His Salvation, His message of grace and righteousness by faith.

To believe in Jesus Christ and yet believe we are condemned—that we are still sinners who must work or keep the law code to be righteous before God is a condition of nakedness. Nakedness of this sort becomes a conscious choice made by a believer commonly referred to as self-condemnation and self-deprivation. It is a decision to not accept what Christ has done, even after coming into the knowledge of the truth. It is a state of mind that says:

He came, but he did not accomplish. He came but he did not finish. He came but he did not conquer. He came but he failed. This is the condition of a clothed man with a nakedness mentality.

Too many men receive the charge to overcome as a directive to conquer the sin nature within the scope of their own strength and power; including both physical and imagined acts of transgression. However, the first and most significant step in conquering the sin nature is to overcome the nakedness mentality of condemnation and deprivation which can only be accomplished through salvation. Our continual futile efforts to overcome condemnation leads to a heavy load of guilt, shame and loss no man has the capacity to conquer. Jesus Christ provides the solution. "Come unto me all ye that labor and are heavy laden, and I will give you rest." (Matthew 11:28)

Being overwhelmed with the burden of sin to a man who has been saved is condemnation. Clothed men should not feel overwhelmed by the burden of our failures, or the burden of

our transgressions. There is a mentality that exists in some of the sons of God where we feel the strength of our salvation only between transgressions. In other words, after a transgression we are overcome with guilt, we ask for forgiveness and then feel the love of God through his blessed pardon and mercy. He is always faithful and just to forgive us. The guilt goes away; we then sense the sweet fragrance of freedom from punishment—that is, until the next transgression. Afterwards, we begin to be overwhelmed with condemnation all over again.

Salvation is continuous, ongoing and everlasting. We are not forgiven for the time being—between transgressions. We are forgiven forevermore. We must become saturated with this truth by the renewing of our mind. We are not saved to the almost. We are saved to the utmost. Repeat this aloud with me:

"I am not saved for the time being. I am saved forevermore! I am not saved to the almost. I am saved to the utmost!"

Ephesians 2:1-4 has something to say about this issue: *As for you, you were dead in your transgressions and sins, in which you used to live when you followed the ways of this world and the ruler of the kingdom of the air, the spirit who is now in at work in those who are disobedient. All of us also lived among them at one time, gratifying the cravings of our sinful nature and following its desire and thoughts. Like the rest, we were by nature objects of wrath. But because of his great love for us, God, who is rich in mercy, made us alive with Christ even when we were dead in transgressions—it is by grace you have been saved.*

As such, there is no such thing as more or less righteous. There is no such thing as being more or less a sinner. We are either "righteous" or "sinner". The act of disobedience committed by Adam in Eden made all men sinners. The act of obedience by Jesus Christ on Calvary made all men who believe on him righteous. The naked are sinners. The clothed are righteous. There are no levels or degrees of righteousness. Through salvation we are fully clothed, fully and wholly righteous. Subsequently, there are no levels or degrees of a sinner.

We are not half saved! We are not partially redeemed. Our salvation is complete. Our redemption is complete. We are fully clothed, not half naked. A partially clothed man, a man with one hand clinging to the world and the other hand clinging to the Kingdom, is still considered naked.

The naked mentality is the root cause of many men not walking in the fullness of God. Many men are not active in church or do not come to church because of condemnation and deprivation. Men who fall into this category think that the men who come to church and are active in church have got it all together. They are wrong—dead wrong! Though there are various reasons church-going men show up and all are not on the same spiritual development level, the one thing most of them have in common is a conviction that they need the Lord in their life. They come to church to seek his face.

Men who resist seeking the presence and will of God for their life are acting on the instinct of the sin nature received from Adam. Just as he hid himself in the Garden behind a tree with fig leaves for a covering, thinking he was out of the sight of God, men are hiding themselves today, using as a covering

their man caves, duck blinds and deer stands. They are hiding themselves in their bass boats, at tailgate parties, in strip clubs, and on golf courses—covered by their modern-day fig leaves. In these guises they find temporary relief thinking they are out of the sight of God. These are all but futile efforts in an attempt to prevent exposing and revealing their nakedness.

They are hiding behind the fig leaves of their careers and jobs; the fig leaves of their hobbies; the fig leaves of their business and secular success, the fig leaves of their political success and approval ratings, the fig leaves of their Hollywood stardom and celebrity awards, the fig leaves of their athletic prowess, championship rings and MVPs; and even the fig leaves of their philanthropic good deeds, in an effort to satisfy the emptiness caused by their nakedness. In spite of their prominent public name, popularity and celebrity status, they intentionally choose to associate with friends who placate them, encouraging and convincing them that their fig leaves are adequate clothing. Let me help you brother, God sees through your fig leaves. Revelation 3:1 confirms it, "I know thy works, that thou hast a name that thou livest, and art dead." In other words, God is saying, "I know what you have been up to. You think you have it going on. You think that you are living the life! You are dead!"

Fig leaves were not adequate for Adam in the Garden of Eden and fig leaves are still inadequate to clothe men today. God knew that Adam's fig leaves would eventually wither and fall off. They were inadequate and did not cover everything that needed to be covered. So also are our modern-day fig leaves, they are inadequate and not sufficient to cover all that needs to be covered. They too will eventually dry up and fall

off. Hobbies, sports, business success, celebrity status, political popularity, athletic prowess and good deeds eventually fade and lose their ability to fill the longings of a man—the longing for a restored relationship with God. The only covering suitable to resolve our nakedness and to fill our emptiness as men is Jesus Christ.

Jesus did not save us to condemn us. He saved us and set us free. He delivered us from condemnation. When he healed the man with the palsy, his retort was to go and sin no more. When he saved the Samaritan woman at the well he did not vilify her because of her history of shacking up. When he delivered the woman who was taken in adultery, after standing down the pious Jewish leaders who would stone her to death, his response was, “neither do I condemn you...Go and sin no more.”

On the cross at Calvary, when Jesus said, “It is finished”, he meant what he said. He meant he had fulfilled all the law established and all that the prophets had spoken regarding himself. All that was necessary to make salvation complete had been accomplished. A perfect lamb, the Lamb of God shed his blood to take away the sins of the world. It was finished indeed. Condemnation, finished! Deprivation, finished!

For a man to continue to carry the weight of the sin nature and the burden of condemnation after receiving Christ is an indication of his continuous struggle with nakedness mentality. For that man, it is not finished. He still has an ongoing debate taking place in his mind; naked one minute and clothed the next. Jesus says we are clothed, but some men are saying back to

him, “I’m naked”. Jesus did not lie. He ended the debate over two thousand years ago on Calvary. It is finished.

Condemnation expects something bad to happen. Salvation expects something great to happen. Condemnation is fear and doubt. Salvation is faith and confidence. Condemnation is hell on earth. Salvation is heaven on earth.

The Indicators of the Nakedness Mentality are:

Guilt	Unrighteous
Shame	Dismay
Embarrassment	Discouragement
Hiding	Lack accountability
Cover up	Low self-esteem
Fear	Low affectivity
Blame	Low self-efficacy
Unworthy	External locus of control

No one told Adam that they were naked. He simply lost the ability to think of himself as God created him. He lost his sight; the ability to see himself as God saw him. Adam drew his own carnal conclusion that he and Eve were naked.

We too have inherited this same nature—the nakedness mentality, mindset, way of thinking. We wrestle with the ability to see ourselves as God sees us in our minds, thoughts, rationale and understanding.

The body is the house of the inner man and the soul and spirit are designers (the sources of thoughts, ideas and plans); the body executes. Man through his body has material or world-consciousness, through his soul, self-consciousness,

and through his spirit, God-consciousness. A man cannot maximize the effectiveness of his life in this world walking around literally naked. He will be shunned everywhere he goes and will eventually end up incarcerated for indecent exposure. Likewise, a son of God cannot maximize the effectiveness of his calling and purpose in this life walking around spiritually naked. Though he is saved, his testimony is as a dead man, having no effect for the Kingdom of God. Salvation clothed us and gave us back our sight. Who told you that you were naked? As the old hymn proclaims:

*At the cross, at the cross
Where I first saw the light;
And the burdens of my heart rolled away;
It was there by faith, I received my sight
And now I am happy all the day.*

Case Study: The Emperor's New Clothes

The classic children's story written by Hans Christian Andersen, "The Emperor's New Clothes", is the perfect picture of the nakedness mindset, in the Emperor himself. In this wonderfully orchestrated book, the Emperor was so fond of new clothes he spent all his time and money in order to be well dressed. He did not care about his soldiers or his subjects. He only made public appearances just to show off his clothes.

One day two deceptive men came to his village disguised as weavers, when in all actuality they were thieves. They pretended they knew how to weave cloth of beautiful designs, patterns and colors with a very special magic cloth that could not be seen by anyone who was unfit for their office or who was very stupid. In fact, only those who were fit for their office and who were very clever could see the beautiful fabric.

The Emperor was convinced. He had to have these men make his clothes. He reasoned that if he had on these clothes, he would instantly know who in his kingdom were fit for their office and who were wise or foolish.

So he ordered large sums of money, delicate silk and the purest gold thread for the deceptive weavers who were also referred to as wicked men and rogues in the story. They kept it all for themselves.

After the work had begun, the Emperor sent trusted ministers to inspect and monitor the progress of the making of his new clothes. On two separate occasions, though the ministers saw the motions of work being performed on the looms, they saw

no cloth, but did not want to admit it, because they did not want to be deemed unfit for their office or foolish. So they both gave good reports to their Emperor. Finally he was convinced to inspect himself.

Upon his inspection, he saw the looms and the busy work of the deceivers, and acknowledged in himself he did not see a thing, but did not want to be perceived as unfit for his office or foolish.

As such, he confessed he saw the beautiful clothes and was now ready to adorn them and make a public appearance. As he made his processional through the village, everyone remarked how beautiful the clothes were because no one wanted to be perceived as unfit for their office or foolish.

However, when he passed by a little child, she said to her father, "but the Emperor has nothing on at all." The father said, "The child tells the truth." The word spread throughout and they all said, "The Emperor has nothing on at all." The Emperor felt very silly because he knew the people were right but he thought, "The procession has started and it must go on now!"

This classic children's story describes the spiritual state of many men today. Like the Emperor, they are consumed with the vanities and fantasies of their flesh. They spend most of their time planning and pursuing their carnal creations, surrounding themselves with associates who will not tell them the truth—they are naked. They are easily deceived by wicked men and rogues who feed their vanity. When they are exposed to the truth, they continue walking in their naked ways.

Just like the child in the story who told the truth and that truth was confirmed by its father, a Child has come to reveal the truth to us, that without Him we are naked. His Father has confirmed it—without Him we are naked!

Chapter 3

The Need for Covering

Genesis 3:7 And the eyes of them both were opened, and they knew that they were naked; and they sewed fig leaves together, and made themselves aprons.

Adam's covering (Genesis 3:7) was aprons made of fig leaves (Heb. Chagorah); something with which to be gird about, as a belt or girdle. This man-made apron of leaves was inadequate to cover their nakedness. The fig leaves were temporary and incomplete. They would eventually become withered, shrink, dry out and die. The fig leaves did not adequately cover their nakedness, nor did it provide the protection they needed.

Genesis 3:21 Unto Adam also and to his wife did the Lord God make coats of skins, and clothed them.

God made Adam and Eve coats of skins from an animal believed to be a lamb. The lamb had to die. The lambs' blood was shed. The covering, clothing of Adam and Eve cost a lamb its life. The lamb was sacrificed by God to cover their nakedness in order for them to be righteous and unashamed.

God's solution for clothing was more than adequate to cover the nakedness of Adam and Eve. The coats of skin covered them from front to back while also providing warmth, protection, comfort and durability.

God demonstrated to Adam what was necessary for him to stay in right standing (covered) with him and how to sustain it. As durable as the lamb's skin covering was, it was not adequate long term, especially considering the generations of Adam's seed to come who would inherit his fallen, naked condition. The original covering would become worn and tattered requiring a new covering. Adam would have to sacrifice another lamb to remain clothed and to provide clothing for Eve and his family. For generations to come, animal sacrifices would be essential to atoning for the sins of mankind.

- God initiated sacrifices to cover nakedness
- God chose a perfect lamb without defects or flaws
- God took note that the lamb was innocent and its precious blood was shed
- God set the precedent for the prerequisites for animal sacrifices

This redemptive act of God to reconcile Adam to himself would become the precedent to what would become necessary to reconcile all mankind. God chose and sacrificed perfect lambs to cover Adam and Eve's nakedness (sin). Jesus, the perfect Lamb of God became our sacrifice to cover the nakedness (sins) of the world. We are covered, clothed with Christ. Putting on Christ is a daily process that should take place first thing in the morning—every morning. Putting on Christ is a renewing of the mind, a constant awareness of our clothed condition. A

man in his right mind would never leave home naked. A man of God should never leave home spiritually naked.

Discovering the Human Condition of Nakedness

Genesis 3:10-11a And he said, I heard thy voice in the garden, and I was afraid, because I was naked; and I hid myself. And he said, who told thee that thou wast naked?

Adam's response to the question: "Who told you that you were naked?"

- I heard thy voice—Acknowledgement of God
- I was afraid—Fear discovered
- I was naked—Shame discovered
- I hid myself—Guilt discovered

All these human conditions were formally covered and now have become discovered (to uncover; to become naked).

Before Sin

Clothed
Courageous
Confident
Innocence

After Sin

Naked
Afraid
Ashamed
Guilt

The Origin of Doubt

A double-minded man is unstable in all his ways. James 1:8

The first question in the bible was raised by the serpent. The purpose of the question was to establish doubt regarding

the truth, credibility and authenticity of the Word of God which he had spoken. Genesis 3:1b *Yea, hath God said, Ye shall not eat of every tree of the garden?*

His reply to Eve's affirmative response was a direct attack on the truth. *"You shall not surely die!"* was the serpent's way of saying, *"God has told you a lie."* One of the consequences of our depraved condition is we still have the propensity to doubt the truth of God. We still question the credibility and authenticity of God's word.

- Sarah doubted if God could provide an heir to Abraham through her womb in her old age
- Moses doubted if God had chosen the right man to deliver Israel from bondage
- Gideon doubted if God had chosen the right champion to deliver Israel from the Amalekites
- Saul doubted if God had chosen the right king
- Thomas doubted if Jesus had in fact been raised from the dead and appeared before the disciples in his absence

Doubt initiated the series of events that eventually led to The Fall. In the life of a believer, it essentially questions God's commitment to keep his word or his ability to keep his word. Doubt is the absence of faith or a wavering between belief and unbelief. It is the condition of being double minded. A man that wavers is like a wave of the sea driven with the wind and tossed. That kind of man will not receive anything of the Lord. Because of doubt, a double minded man is unstable in all his ways. (James 1:6-8)

You Need To Talk To My Husband

Eve wondered what would have happened if Eve would have said, *"You need to talk to my husband."* *What if she would have said, "Do I know you? Who are you? Why would I listen to you? I don't know you. I do know God. He created this garden, these trees, animals and all these creeping things; he created my husband and formed me from my husband's rib. He even created you! Why would I listen to you? You need to talk to my husband."*

"Adam! Adam! Come over here right now. This snake can talk! He just called God a liar! He's trying to convince me to eat from the one tree that God told us not to eat from lest we die. He told me, "We shall not surely die!"

I believe those words coming from Eve would have empowered and emboldened Adam as the protector of Eve and the Garden. He would have responded with righteous indignation and killed the serpent on the spot—even cut off his head. The scriptural account could have possibly been, *"And the Spirit of the Lord came upon Adam, and he cut off the serpent's head and they lived happily ever after."*

Unfortunately, that's not what happened. The seed of doubt planted by the serpent was the prelude to the disobedience that changed the entire world. Eve ate and gave some to her husband and he also ate. Their eyes were opened and they saw that they were naked. As the voice of God came walking through the garden in the cool of the day Adam and Eve hid themselves from the presence of the Lord God. Consequently, the second question in the bible was raised, *And the Lord God*

called to Adam and said to him, *Where are you?* (Genesis 3:9). Adam responded by saying, *"I heard your voice in the garden, and I was afraid, because I was naked; and I hid myself."* (Gen. 3:10).

The Origin of Fear

God has not given us the spirit of fear. 2 Timothy 1:7

Fear is a distressing emotion aroused by impending danger, evil, or pain whether the threat is real or imagined. Fear is the feeling or condition of being afraid. Before sin, Adam knew no fear. The abrupt change of the instantaneous reduction of his spiritual dominance and God-consciousness to the escalation of his human nature and self-consciousness aroused in him impending danger, evil and pain conjured up in his imagination due to what God said would happen if he ate of the tree and his imagination of what would happen when God found out.

None of the things he thought or imagined happened. Such is the case, and is the state of fear in men today. As a result of Adam's experience, men today have many phobias—persistent, irrational fears of a specific object, activity, or situations that lead to a compelling desire to avoid them—most of which pose little or no actual danger. He would die, but not immediately. He was banished from God in the Garden, but not completely from his presence. He would never see God the way he had become accustomed to seeing him ever again.

The fears of the sinful nature have caused many men to completely alter their lifestyle, resulting in behaviors which limit the capacity of God to manifest his fullness in their lives.

Fear of commitment causes a man to go from relationship to relationship, having many women and in some cases, many children from different women. Because of this fear they never get married. The fear of commitment also leads to a man going from job to job. He becomes uneasy and anxious when he begins to sense increasing interpersonal bonds with his coworkers or supervisors.

Fear of failure causes a man to not take risks which build his independence and wealth. As a result he lives a mediocre life, never leaving the home of his mother, or remains in a career well below his gifts. He is afraid to take a promotion because of the fear of greater responsibility, or the fear of a loss of camaraderie. Some men have a desire to see the world, but have a fear of flying, getting on a cruise ship or driving long distances so they settle for fantasizing and dreaming about what it would be like to travel to distant lands or sail beautiful oceans and seas. The fear of self-disclosure causes a man to refrain from sharing personal challenges with his family and friends. Over time, this phobia has the potential to build up levels of frustration and uncertainty that can lead to domestic abuse, drug and alcohol addiction, sex addiction, depression and even suicide.

The spirit of fear and all of its vast phobias are of the devil. Phobias are a mental disorder, the enemy playing tricks on our mind, and winning. I've heard preachers explain fear as an acronym which means "False Evidence Appearing Real". God has not given us the spirit of fear; but of power, and of love, and of a sound mind. (2 Timothy 1:7)

The Origin of Blame

The man said, The woman you put here with me—she gave me some fruit from the tree, and I ate it. Genesis 3:12

“Who told you that you were naked?” was the third question asked in the bible. Adam did not answer the question. The loss of his spiritual nature created the infamous couple of fear and shame which conceived and gave birth to yet another consequence of our depraved condition—blame. Rather than accept responsibility for his role as husband, the person of authority, he blamed Eve. Since God is the one who actually gave Eve to Adam, he was essentially blaming God.

Blame is man’s effort to cover his own sin. It is a natural first inclination when we are caught, called out, or challenged for transgressions or violation of a law, rule, regulation or policy and brought into accountability. Blame in the context of The Fall is the act of placing responsibility for a fault, error or transgression on another and a unwillingness to answer to another for what we have done.

- Adam blamed God and Eve.
- Eve blamed the serpent.

Blame is directly associated with a man’s natural tendency to reject accountability. Lack of accountability is another condition of our state of depravity. Consequently, the common response of men who are held accountable for their actions is, “It’s not my fault!” Failure of fatherhood results in blaming our dads. Failures of marriage result in blaming our wives. Failure in career

results in blaming our employer. Failure in ministry results in blaming the pastor or the congregation.

Doubt, fear, blame and shame are just a few aspects of the human condition that establishes a need for covering. They are all driven by nakedness. When a man is adequately covered, he is confident and accountable. The doubt, fear, blame and shame are gone. A redeemed man is no longer “the naked”.
With Christ he is “the clothed”.

Chapter 4

The Clothed

For all of you who were baptized into Christ have clothed yourselves with Christ. Galatians 3:27

Now we know that if the earthy tent we live in is destroyed, we have a building from God, an eternal house in heaven, not built by human hands. Meanwhile we groan, longing to be clothed with our heavenly dwelling, because when we are clothed, we will not be found naked. For while we are in this tent, we groan and are burdened, because we do not wish to be unclothed, but to be clothed with our heavenly dwelling; 2 Corinthians 5:1-4a

The Clothed Mentality

The desire to be clothed has been a longing of men since The Fall (2 Corinthians 5:1-4). The overwhelming spiritual and emotional sense of loss of God's divine clothing was only partially and temporarily placated by Adam's solution of fig leaves. He was somewhat covered, but compared to his previous clothes the fig leaves were woefully inadequate. However, they did give Adam some sense of protection, a sense of having made up to some extent for what he had done. His covering helped him

to not have a constant reminder of what he and Eve had done. The fig leaves made him feel presentable before Eve and God, for without them, the guilt and shame would have been even more overwhelming than what he was already experiencing.

Being totally nude was unbearable for him and he did not want God to see them in that condition. The stitched fig leaves were wrapped around the waist and covered their thighs. But he was wise enough to realize it was not enough, so they hid themselves.

Adam's motive was to restore himself to a state of being presentable before God and to cover up what he and Eve had done. His way of thinking still permeates our thinking today as men. Even as little boys when we are told to not do something by our parents and end up doing it any way; and the reason they told us not to do it actually happens, we attempt to cover it up. When we come into the realization that we have messed up, not living in a way pleasing to God, or have done something he commanded us not to do, many men conjure up their own remedy to resolve their nakedness in an effort to atone for their transgressions. We make an effort to cover up and make ourselves presentable before God finds out what we have done.

The reality for Adam and for men today is there are no man made solutions to our nakedness. God knew it from the beginning, so he sacrificed innocent lambs and made coats for Adam and Eve. The fig leaves were not only inadequate due to leaving areas of the body uncovered that needed to be covered, they were inadequate because they would soon wither and fall off. During the fall and winter seasons, there would be no fig leaves to replace them. As a result, they would be naked

for months and unprotected from the elements. Not so with God's remedy. The coats of lambs skin were adequate to cover everything that needed to be covered.

The Significance of Clothes

In ancient days, their coats were called tunics. A kind of shirt suspended from one or both shoulders, covering the front and the back, down to the thighs. In pictorial bibles we have seen the pictures of tunics where Adam's coat had a strap over one shoulder and Eve had straps over both shoulders. Today, clothes are much more sophisticated.

The primary purpose of clothing from the beginning until now is to cover nakedness and to be presentable before God and people (Revelation 3:18). Walking around in public in the nude has never been acceptable. Since the coats of lamb's skin were made by the Master Designer, there have been significant advancements in clothing. Biblical accounts of clothing differ according to geographical settings, climates, available resources, nationalities and cultures. In essence, a person could be identified by the clothes they wore.

Additionally, dress styles noted in the scriptures differed according to occupation, social status and wealth. Types and styles of clothing are described in forms such as mantles, coats, cloaks, robes, tunics, and sashes. Waist accessories were included such as belts, aprons, loincloths or waist cloths. There were also accessories for the head such as turbans, veils and crowns; and footwear called sandals.

Clothes have a significant impact on how a man feels about himself. Clothes also play a significant role in the first

impression a man makes. Over a period of time, a man's style of clothing, how he dresses, becomes a part of the testimony of his personality and character. This fact is supported by many common phrases in American culture such as, "The clothes make the man.;" or the very popular song by Huey Lewis and The News in the 1980's, "Every Girl's Crazy 'Bout a Sharp Dressed Man."

When a man is dressed well he is confident and sure. He is intentional about the selection of his attire on every occasion, whether hunting, golfing, playing basketball, going to the beach, the prom or going to church. Being appropriately clothed plays a major role in a man being self-assured that he is at the top of his game.

On the other side of the issue of clothing, when a man is not appropriately dressed he is insecure, unsure and lacks confidence. If he shows up at an event that has a specific dress code and is the only man in the wrong attire, he is embarrassed and ashamed.

These are the same emotional responses that Adam experienced in the Garden of Eden. These emotional responses are all consequences of condemnation. The divine clothing Adam had before transgression was appropriate for all occasions. It made him feel right before God and Eve. He was confident and sure of himself. When he was appropriately attired, he was always at the top of his game. When God arrived and he was in the wrong attire, he was embarrassed and ashamed.

A man without Christ is naked no matter how good he feels in his clothes. Physical clothing only provides a false sense

of security and makes a man feel presentable before people when he has on the right clothes for the right occasion. On the outside he is confident and sure of himself. Underneath the clothing is a fearful, insecure, naked soul. The vanity which drives his style incites compliments that feed his false sense of fulfillment—like the story of the Emperor.

Jesus Clothes

God's perspective on clothes is different from man's view of clothing. To be in right standing with God we must have on the clothing he provides, the Lamb's clothing, Jesus clothes. God's clothing is perfect in every way. His clothes are right for all occasions. They are appropriate attire for good and bad occasions; happy and sad occasions; formal and casual occasions. Occasions when we are up, and on occasions when we are down. One size fits all. This Lamb's skin is adequate to cover every sin that needs to be covered. They are tailor-made, custom fit for all men, short or tall, thick or thin. God's clothes for his children are uniform.

The very word uniform expresses God's motive for clothing his own. Uniform as an adjective means identical or consistent from example to example; without variations in detail. In its context as a noun, uniform means an identifying outfit or style worn by members of a given profession, organization, or rank. In other words, because we have been clothed with Christ, in the sight of God we are all identical to the Son. We all look alike. We are uniform. Everyone looks the same.

As a professional firefighter, from the time I began the recruit academy I was placed in uniforms provided by the city that I served. As a new hire we were provided shoes, socks,

T-shirts, five pair of pants, five short sleeve shirts, five long sleeve shirts, a Class A uniform for formal occasions, a neck tie and a dress cap. We were also issued personal protective clothing for firefighting in the form of what is called bunker pants, a bunker coat, firefighting boots, gloves, a heat resistant hood and a helmet with ear protection and a face shield to protect the eyes. After the initial issuance, we are furnished a clothing allowance in order that everything we need to be properly attired could be sustained on an ongoing basis. The uniforms are paid for by taxpayers.

Since being a firefighter was a childhood dream fulfilled, one of my greatest joys has always been wearing the uniform. I took great pride in wearing it properly. I kept my shoes shined, my shirts starched and my pants crisply pressed. Though there were other uniformed city employees, a distinction was made between firefighters and others because of our uniform patch, badges and symbols of rank. Every day before leaving for work, I am very careful and diligent to put on my uniform in order that I may be distinctly identified as a firefighter.

The uniform of the Lord has the same effect in the Kingdom of God. Our clothes distinguish us from other people in the sight of God. From the time we accept Christ and are baptized (Galatians 3:27), we are provided with the attire commensurate to our new status. We are clothed with salvation, adorned with glory, honor and strength—our everyday on duty attire (2 Chronicles 6:41). Similar to the purpose of bunker gear, we are issued the full armor of God for fighting spiritual battles. We have a spiritual clothing allowance which sustains and renews uniforms day by day. The clothing is paid for by the blood of Jesus. Every day before interacting with anyone in our house

or in the community, we should be very careful and diligent to put on Christ (Romans 13:14) in order that we may be identified as sons of the Most High God.

“Who are you wearing?” is a very popular question asked of celebrities as they walk the Red Carpet at the Emmy Awards. The “who” is in reference to the fashion designer, the originator of their clothes. Celebrities are fully aware that they will be in the spotlight. They plan for days, months, weeks consulting with experts and world renowned fashion designers working to decide on the clothes they will wear with the goal of being distinctly astonishing for all the photographers, media, interviews and glitz and glamour. The hope is that their clothes will set them apart from other celebrities. As they arrive on the Red Carpet and are approached by their interviewer, they know one of the first questions asked will be, “Who are you wearing? They are always gleaming with pride when they answer: Giorgio Armani, Ralph Lauren, Gianni Versace, Christian Dior or the like.

This makes for a very fitting analogy to the mindset of a son of God. Like the superstar celebrity, we should be fully aware that we are in the spotlight. Everyone is watching and waiting for us to show up. Every day we should be prepared to leave home properly attired, consulting with the Lord, the originator of our clothes, every morning on the attire he has provided for us to wear with the goal of being distinctly astonishing for every encounter. As we go about our day manifesting the glory, honor, strength and majesty of our God, someone is sure to take notice and ask the question, “Who are you wearing?” Like the celebrities, we should also gleam with glory when we answer, “I’m wearing Christ!”

“Let us therefore, as many as be perfect (clothed), be thus minded: if in anything ye be otherwise minded, God will reveal even this unto you.” (Philippians 3:15) Based upon Philippians 3:9-15, a clothed-minded man is resolute in the following decrees:

- I am the righteousness of God through Christ
- I am being conformed to the image of Christ
- I am a follower, pursuing my purpose (apprehended)
- I am forgetting those things which are behind
- I am pressing toward the high calling of God

Chapter 5

The Distinction Between the Clothed and the Naked

The Lord loves the righteous (clothed); but the way of the wicked (naked) he turns upside down. Psalm 146:8c; 9c

God makes a distinction between the clothed man and the naked man. These distinctions are made throughout scripture, but they are most prevalent in the Book of Psalms and the Book of Proverbs. In these books of the Holy Bible, consider the following words in contrast, which are all synonymous to either clothed or naked. Words synonymous to “clothed” are righteous, upright, perfect, just, good man, diligent, and blessed. Conversely, words synonymous to “naked” are sinner, wicked, ungodly, worker of iniquity, scorner, slothful, evil doer and cursed.

<u>Clothed</u>	<u>Naked</u>
Righteous	Sinner
Upright	Wicked
Perfect	Ungodly
Just	Worker of Iniquity
Good Man	Scorner
Diligent	Slothful
Blessed	Cursed
	Evildoer

When we begin to see these synonyms in the context of scripture, it becomes quite clear and much easier to understand the distinction between the two. Consider how the writer of Proverbs from Chapters 10 through 13 makes comparison after comparison of this distinction, replacing all synonyms with either clothed or naked as appropriate.

Proverbs Chapter 10

- 3 The Lord will not suffer the soul of the clothed to famish; he casts away the substance of the naked.
- 6 Blessings are upon the head of the clothed; violence covers the mouth of the naked.
- 7 The memory of the clothed is blessed; the name of the naked shall rot.
- 11 The mouth of the clothed man is a well of life; violence covers the mouth of the naked.
- 16 The labor of the clothed tends to life; the fruit of the naked to sin.
- 20 The tongue of the clothed is as choice silver; the heart of the naked is little worth.
- 21 The lips of the clothed feed many; but the naked die for want of wisdom.
- 24 The desire of the clothed shall be granted; the fear of the naked, it shall come upon him.
- 25 The clothed is an everlasting foundation; as the whirlwind passes, so is the naked no more.
- 28 The hope of the clothed shall be gladness; the expectation of the naked shall perish.
- 30 The clothed shall never be removed; the naked shall not inherit the earth.
- 32 The lips of the clothed know what is acceptable; the mouth of the naked speaks forwardness.

Proverbs Chapter 11

- 5 The righteousness of the clothed shall direct his way; the naked shall fall by his own wickedness.
- 8 The clothed is delivered out of trouble; the naked comes into his stead.
- 10 When it goes well with the clothed the city rejoices; when the naked perish there is shouting.
- 11 By the blessing of the clothed the city is exalted; it is overthrown by the mouth of the naked.
- 21 The seed of the clothed shall be delivered; the naked shall not be unpunished.
- 23 The desire of the clothed is only good; the expectation of the naked is wrath.
- 31 The clothed shall be recompensed in the earth; much more the naked and the sinner.

Proverbs Chapter 12

- 2 The root of the clothed shall not be moved; a man shall not be established by nakedness.
- 5 The thoughts of the clothed are right; the counsels of the naked are deceit.
- 6 The mouth of the clothed shall deliver them; the words of the naked are to lie in wait for blood.
- 7 The house of the clothed shall stand; the naked are overthrown and are not.
- 10 A clothed man regards the life of his beast; the tender mercies of the naked are cruel.
- 12 The root of the righteous yields fruit; the naked desires the net of evil men.
- 21 There shall no evil happen to the clothed; the naked shall be filled with mischief.

26 The clothed is more excellent than his neighbor; the way of the naked seduces them.

Proverbs Chapter 13

5 A clothed man hates lying; a naked man is loathsome and comes to shame.

6 Righteousness keeps him that is clothed in the way; wickedness overthrows the naked.

9 The light of the clothed rejoices; the lamp of the naked shall be put out.

21 The clothed shall be repaid; evil pursues the naked.

25 The clothed eats to the satisfying of his soul; the belly of the naked shall want.

These verses from the book of Proverbs, though paraphrased from words synonymous to clothed and naked, remove any doubt as to how the Lord judges between the clothed and the naked. We cannot be double-minded with regard to our status of adornment before the Lord—clothed one minute and naked the next. A double minded man is unstable in all his ways. That man will not receive anything from the Lord, because a double-minded man is half naked. This double-minded, half-naked way of life for a son of God is a result of the stronghold of condemnation. We belong to Christ! As such we are clothed with Christ. We have on his clothes.

The life of the clothed is blessed. The life of the naked is cursed. Moses made it so easy for us. After defining God's covenant with Israel in great detail he concluded with a charge and a multiple choice exam: "I call heaven and earth to record this day against you, that I have set before you life and death, blessing and cursing." Then he gave them the answer, "choose

life, that you and your children may live." Clothed men have chosen the blessing and life. Naked men have chosen cursing and death.

The covenant blessings of clothed men according to Deuteronomy 28:1-14 include:

- Blessed in the city
- Blessed in the country
- Blessed children
- Blessed household
- Blessed in your profession
- Blessed coming in and going out
- Blessed income and investments
- Blessed with conquered enemies
- Blessed internationally
- Blessed with plenty goods
- Blessed with good treasure
- Blessed to be the head
- Blessed to be a lender

The covenant curses of naked men from Deuteronomy 28:15 to the end of the chapter include:

- Cursed in the city
- Cursed in the country
- Cursed on his children
- Cursed household
- Cursed in his profession
- Cursed coming and going
- Cursed with vexation, rebuke and pestilence
- Cursed with inflammation, burning, blasting and mildew

- Cursed with drought
- Cursed with conquering enemies
- Cursed with hemorrhoids, scab, itch
- Cursed with madness, blindness overwhelmed heart
- Cursed with an adulterous wife

The covenant makes a distinction between the clothed and the naked. Those who are diligently seeking the Lord and walking in his ways are the clothed. On the other hand, those who rebel against the Lord and walk in the ways of the world are naked. The blessings of the clothed man cover every area of what is necessary for a complete and wholesome Kingdom life. The curses of the naked man are devastating in the life of a man and his household, and the list defined in Deuteronomy 28 has even more adverse consequences than those stated above. To be perfectly honest, I stopped listing them because my heart began to get heavy just thinking about all the men who don't even realize why their lives are turned upside down and nothing ever seems to go their way.

A clothed man does not have an excuse for living below God's standard for his life. If a clothed man is experiencing more of the curses in Deuteronomy 28 than the blessings, it is only because he has chosen the wrong answer to the multiple choice question posed by Moses when he stated, "I have set before you blessings and curses; and life and death." The choice is ours to make! Let me give you the answer again just in case you missed it the first time. Choose life! That you and your children may live!!! Who told you that you were naked?

Chapter 6

Conviction and Condemnation

God is mighty, but does not despise men; he is mighty, and firm in his purpose. 6 He does not keep the wicked alive but gives the afflicted their rights. 7 He does not take his eyes off the righteous; he enthrones them with kings and exalts them forever. 8 But if men are bound in chains, held fast by cords of affliction, 9 He tells them what they have done—that they have sinned arrogantly. 10 He makes them listen to correction and commands them to repent of their evil. 11 If they obey and serve him, they will spend the rest of their days in prosperity and their years in contentment. 12 But if they do not listen, they will perish by the sword and die without knowledge. Job 36:5-12(NIV)

The word conviction has several connotations. In this context, conviction is the act of convincing; being convinced; firm belief; and certainty. Most men often confuse conviction and condemnation. Conviction comes through God-consciousness. Condemnation comes through sin-consciousness. Conviction is the awareness of God at the time of temptation to choose God's way. It is the Holy Spirit reminding us of the commandments, precepts, statutes and laws of God which illuminates to us the

way out of the temptation. Conviction provokes an instantaneous sense of the joy of obedience but also gives us an awareness of the consequences of disobedience (Job 36:5-12; Phil. 1:6; 2:13). Conviction is predominant awareness of our nature of righteousness and what Jesus did on Calvary (1 Peter 1:18-20).

God does not take his eyes off of a clothed man. He watches over them in order to perform his word in their lives. He is faithful. He brings promotions and advancements as he has promised according to our faithfulness to him. Along the journey, if we become bound in chains and held back by cords or chains of affliction, through conviction, he tells us what we have done, makes us listen and instructs us to take the appropriate corrective actions. No clothed man cannot continue down a path outside of his purpose without hearing from God. If we are obedient and persevere in serving him, we will spend our days in prosperity and our years in pleasures.

When a man experiences conviction, he is at a critical decision point. Do I choose God's way and do what pleases him; or do I transgress and do what satisfies my flesh? If we choose the latter, for the clothed man, it does not mean we are condemned. Conviction is still at work. It instantaneously prompts us after a transgression to repent and seek forgiveness, strength and power to never go that way again. *If we confess our sins, he is faithful and just to forgive us our sins, and to cleanse us from all unrighteousness.* (1 John 1:9) Conviction leads a man to liberty and deliverance. Conviction is a blessing. It is a heightened sense of awareness of our human weaknesses, tendencies and shortcomings, coupled with the compelling sense that we are victorious over it due to the righteousness of God. It is a reminder of what Jesus Christ did on Calvary.

Through the Holy Spirit, conviction is our mentor and guide. Failure to acknowledge the prompting of conviction is rebellion and leads to:

- Yielding to temptations
- Transgressions
- Condemnation

Condemnation is a predominant awareness of the sinful nature and a compelling sense of being defeated by it. It is a reminder of what Adam did and how he felt in the Garden of Eden. When a man experiences condemnation, he has a tendency to linger on an irrepressible sense of judgment, guilt, shame and fear of consequences. Condemnation attempts to shackle a man in the bondage of the nakedness mindset and the bondage of the sin-nature—“*bound in fetters and cords of affliction*”. Condemnation is a curse.

Because we are the righteousness of God, we have the mind of Christ. We are always aware of who we are and whose we are. The more we grow spiritually the more God-conscious we become. Isn't that awesome! Consequently, the more God-conscious we become the more we experience conviction—prompting us to make righteous choices, God-ordered choices, covenant keeping choices. When we fail to do so we are faced with yet two choices: the choice of conviction—the reminder that the blood of Jesus has clothed and covered us, and that God's grace is sufficient; or the choice of condemnation—the lie from the enemy that the Lamb of God is not adequate clothing for what we've done, and that we are doomed to some horrific punishment.

Conviction should not lead to condemnation. Conviction is our companion and advocate; a very present help; a constant counselor of salvation's benefits, righteousness, and a reminder of being clothed with Christ. Condemnation is our enemy, our adversary and a constant agitator, deceiver, and tempter trying to convince us that we are still naked.

Conviction occurs out of God-consciousness. Condemnation occurs out of sin-consciousness. When conviction occurs it is God's relentless effort to move men to perfection. It is God's love in action—a very present help in the time of temptation.

God makes a distinction between a man who is convicted and a man who is condemned. As Jesus was preparing for Calvary, during the Last Supper, he made specific statements regarding two disciples, one to a convicted man and one to a condemned man. Jesus was speaking to Peter when he said, "before the cock crows, you will deny me three times." He was referring to Judas when he said, "one of you will betray me." Peter had the spirit of conviction because he had already confessed Christ as "the Christ, the Son of the Living God." Judas was condemned because he had already made the deal with the enemy for thirty pieces of silver to take them to Jesus and to identify him in order that they might seize him.

These men were set apart by the motives of their heart and their choice of words. (Matthew 12:34-37) Peter had a track record of speaking words which aligned with his confession of faith:

- "Bid me to walk on the water." Matthew 14:28
- "Lord save me!" Matthew 14:30

- "Thou art the Christ, the Son of the Living God." Matthew 16:16-18
- "It is good for us to be here!" Matthew 17:1-4
- "How oft shall my brother sin against me and I forgive him?" Matthew 18:21
- "We have left all to follow you." Matthew 19:27
- "To whom shall we go? Thou hast the words of eternal life." John 6:70
- "I will not deny you." Matthew 26:33-35

Because Peter had believed in his heart and confessed with his mouth that Jesus was the Christ, the Son of the Living God, he was under the divine covering of Jesus. Peter was justified by the words he spoke out of the abundance of faith that was in his heart. (Matthew 12:34, 37) Though the enemy was seeking to "sift him as wheat" to condemn him, Jesus said to Peter, "I have prayed for you that your faith fail not". Men clothed in Christ are still standing under the persistent attacks of the enemy for this very reason. Jesus Christ, our intercessor has prayed for us that our faith does not fail.

Conversely, Judas Iscariot's heart and motives were evil from the beginning of his association with Jesus. (John 6:70) Because his heart was evil, out of his mouth he spoke words which led to his condemnation. As the scripture says, "by your words you are justified, and by your words you are condemned."

*"What will you give me, and I will deliver him unto you."
Matthew 26:14-16*

*"I have sinned in that I have betrayed the innocent blood."
Matthew 27:4a*

Though the words of Judas recorded in scripture are few, his recorded words and the narratives of his actions provide no evidence that he ever confessed Christ as Messiah, the Son of the Living God. Even his confession after the betrayal was neither to Christ nor to God. His confession was to the Pharisees. A confession to the enemy is not adequate repentance for salvation and forgiveness. Even today, men who are naked have a tendency to talk to everyone else confessing the wrongs they have done. They confess to their worldly friends that they have to get their life together. They confess to their business partners they can no longer cheat and plot unjust schemes to make money and to win clients. They tell their mistress(es) they can no longer be unfaithful to their wife. As honorable as these confessions are, moral convictions which lead to a desire to change to a life of integrity cannot save. Until and unless they accept Jesus Christ as Savior and make their confessions known to him they are still naked and condemned.

During the three episodes in which Peter denied Christ, he made an oath of denial of Christ on the second instance. During Judas' encounter with the Pharisees to establish the plan for betraying Christ, he made a covenant with them. Oaths can change and in some cases be revoked. Covenants are binding and can only end with the death of one of the parties of the covenant. Peter's oath was revoked and forgiven. Judas' covenant ended with his death.

After Peter denied Jesus the third time, conviction reminded him of the words which Jesus had spoken, "before the cock crows, you will deny me three times." Peter was overwhelmed with sorrow over what he had done, in spite of the warning of Jesus. The weight of our condemnation is always heavier when

we have realized that Jesus provided us warning and a way out of the temptation. However, Peter was not condemned, he was convicted. His conviction was further demonstrated after he heard news of the resurrection and after he recognized it was Jesus' voice on the shore while he and the other disciples were in the boat fishing.

When a man is convicted, he is repentant, he is contrite, and he even experiences guilt and shame, but his heart is with the Lord. He is always alert, seeking, looking for the next encounter with the Savior to restore the joy of his salvation. (Psalm 51) His heart is gripped by the words of the old hymn, "O take the stain of guilt away and own me as thy child."

On both occasions after the resurrection, when Peter thought he would get to see Jesus he took immediate and radical action to get to him. On the first occasion, when he heard from Mary Magdalene that Jesus was no longer in the tomb he immediately started running and did not stop until he got there. On the second occurrence, when he recognized it was Jesus talking to them from the shore while he and the other disciples were hauling in the big catch, he immediately dove in the water and swam to shore.

Oddly enough, Peter was naked while in the boat fishing. He was not only naked physically, he was naked mentally. He was overwhelmed with a sense of condemnation and deprivation. In his naked state, he did not recognize the voice of Jesus. It was John (the disciple who loved Jesus) who recognized the voice, and told Peter who it was.

A naked man cannot recognize the voice of Jesus unless it is made known to him by a clothed man. Peter was spiritually clothed but had a naked mindset. A clothed man who walks with conviction is determined in seeking Christ when he experiences transgression. When Peter heard the words of John, his eyes were opened, he knew it was Jesus. So he clothed himself in his fisher's coat and swam to shore to see him. (John 21:7). His next encounter with Christ was a counseling session to affirm his salvation and to refocus his calling and purpose, it was not a condemnation session.

Judas on the other hand, upon realizing what he had done was overwhelmed with condemnation. Faith in Christ was not the source of his realization of what he had done. He turned to the enemies of Jesus for consolation and repentance. He offered to give back the silver he profited. They rejected him and the silver. He could not bear the weight of condemnation, so he hanged himself. He lost his soul and the silver. What does it profit a man to gain the world and lose his soul? There is no man or group of men on earth who has the capacity or authority to console and deliver from condemnation. Good friends may try, but they cannot do it. But in the case of Judas, our enemies most definitely cannot do it.

As clothed men, we must never allow the weight of our conviction to lead to condemnation. For where sin abounded, grace does much more abound. (Romans 5:20).

Chapter 7

The State of Depravity

Then the Lord saw that the wickedness of man was great on the earth, and that every imagination of the thoughts of his heart was only evil continually. Genesis 6:5

God made man in his own image and according to his likeness. Man was given authority to rule over everything in the earth. As the Creator, God's first act towards man was to bless them and empower them to have authority over everything he created and to be successful (vv.22, 28). God's first words to man was, "Be fruitful and multiply, and fill the earth, and subdue it; and rule over the fish of the sea and over the birds of the sky and over everything living thing that moves on the earth." (v.28). God established expectations. He also provided instructions for food for man and for everything that moves on the earth.

The Lord God formed man of the dust from the ground, and breathed into his nostrils the breath of life, and man became a living being. Genesis 2:7

The Lord God planted a garden and there he placed the man whom he formed. Genesis 2:8

The Lord provided every tree in the garden:

- Pleasing to the sight
- Good for food
- The tree of life in the midst
- The tree of the knowledge of good and evil

The Lord took the man and put him into the Garden of Eden to cultivate it and to keep it. It was the Lord who created and established a place, land, field, career for Adam to fulfill his purpose.

- God made the Garden
- Adam was placed in the Garden to cultivate it and to keep it
- Adam's job (gardener) was given to him by God
- Adam's job description:
 - To cultivate the garden
 - To keep the garden (sustain it)

Personal Life Application: God gave me my fire service land, field, career. He gave me the job of being a fire service leader, Fire Chief of Atlanta Fire Rescue. He also made me the head—United States Fire Administrator. My job description as a fire chief of Atlanta Fire Rescue Department is:

- To cultivate its culture for the glory of God
- To keep it focused on its mission of saving lives and property
- To sustain its culture, its members and its capabilities, both now and for future generations

The Lord God commanded the man saying. "From the tree of the garden you may eat freely; but from the tree of the knowledge of good and evil you shall not eat, for in the day you eat from it you will surely die." Genesis 2:16-17

Death occurred when Adam ate—not when Eve ate. Both of them died. Adam's actions impacted Eve and all creation. The Spirit-life of God in them left them. A man without the life of God in him (without Christ) is a depraved, dead man walking around feeding on flesh.

In the science fiction entertainment industry, movies about zombies have become very popular. Zombies are depicted as depraved dead people who are still alive but mute, will-less, and controlled by supernatural evil forces. Zombies have a single focus—finding and feeding on flesh. They cannot be reasoned with nor placated.

A spiritually dead man is like a zombie, he cannot be reasoned with or placated. He feeds on flesh continuously attempting to satisfy a relentless emptiness; a quest to be filled, a longing to quench an appetite for the lust of the flesh, the lust of the eyes and the pride of life (1 John 2:16). No matter how much of the world he takes in, he cannot be satisfied.

Nations in a state of depravity begin to feed on their own people. During the era of the prophet Micah, the spiritual condition and leadership culture of Israel was consumed with greed and injustice, so much so that Micah used *zombie-like* behavior to describe them;

"Hear now, heads of Jacob and rulers of the house of Israel. Is it not for you to know justice? You who hate good and love

evil, who tear off their skin from them and their flesh from their bones, who eat the flesh of my people, strip off their skin from them, break their bones and chop them up as for the pot and as meat in a kettle.” Micah 3:1-3

Men in a state of depravity begin to feed on their families and anyone else they feel has something to satisfy their carnal cravings. Their quest to be fulfilled through worldly pleasures eventually leads to self-destructive behaviors and addictions. Proverbs 23:31-35 depicts an episode of a man who has a zombie-like lifestyle. It starts with him having too much red wine. It bites like a serpent and stings like an adder. The wine is analogous to a snake, just like the words of their ancestor, the serpent in the Garden of Eden. Because of this habit of too much red wine, his eyes are attracted to strange women, and his heart begins to conjure up perverse fantasies. He has so much to drink, when he lies down it is as if he is lying in the midst of the sea upon a mat. He wakes up the next day and realizes he has been in a fight. He concludes, he was beaten and did not feel a thing. When his head clears from the stupor of his hangover, he will repeat the same pattern all over again. Such is the case of a man without Christ in his life—a depraved man, a naked man. He is consumed with the state of depravity. All he thinks about is fulfilling his carnal desires.

Lust Originates in the Heart

Lust is a passionate, overwhelming desire or craving for things such as power, prestige, money and other possessions. The most common use of the word “lust” is in the context of intense sexual desire or appetite; or uncontrolled, illicit sensual desire. However, because “lust” is first and foremost a passionate, overwhelming desire, there are righteous, spiritual,

godly applications of the word “lust” although these applications are rarely if ever described as lust.

Synonyms of the word “lust” used in godly applications are desire and pleasure. This kind of lust is associated with God’s passionate, overwhelming desire to please his children (Psalm 149:4; Psalm 35:27b) and a clothed man’s passionate, overwhelming desire to please God (Psalm 19:7-14). Consequently, there are sinful applications of the word “lust” and there are righteous applications of the word “lust”.

God’s desire is for a man to enjoy life and to have an abundant life. Here is a news flash from heaven. God’s desire is for a man to enjoy sex, but according to his purpose and statutes. God wants a man to be rich, but according to his plan and purpose. God wants a man to have prestige, but according to his plan and for his glory. God does not want a man to be sexually depraved, broke and insignificant. In his presence is fullness of joy (we call it ecstasy), and at his right hand there are pleasures forevermore (Psalm 16:11). But apart from a relationship with God, a man’s motives are driven by self-pleasure, self-aggrandizement, and self-exaltation.

A naked man’s motives are driven by sensuality—lust of the flesh, lust of the eyes and the pride of life; not spirituality—love, joy, peace, patience, kindness, gentleness, faithfulness, goodness and self-control. Sensuality drives the personality of a naked man. Spirituality drives the personality of a clothed man.

All lusts both sinful and righteous originate in the heart. We are born with the capacity of imaginations. As we get older, our sight, smell, touch, hearing and tastes are exposed to things

that over time develop experiences which are programmed into our flesh. Some are good and some are bad. As children, we hear sounds that make us feel good and sounds that frighten. We saw things that made us happy and things that made us sad. We felt and were touched by things that comforted and soothed us, and things that caused discomfort and pain. Also as kids, our taste buds recalled the sweet things, which brought delight to our tummies (like candy), but we also remembered the bitter things that made us nauseated and caused us to gag (like castor oil).

The myriad of experiences which provoke our feelings and emotions contributed to the evolution of the sensual nature. Getting a big red "A" marked at the top of the paper of our spelling test; an in-the-field home run on the little league team; a Popsicle on a hot summer day at grandmother's house; holding hands with your fourth grade girlfriend on the school bus; getting away with stealing a cookie out of the cookie jar; and wearing a new pair of Chuck Taylor Converse All-Stars all contributed to pleasurable reactions in our bodies—sensualities that incite cravings for those experiences, and imaginations, and also of how it might be possible to experience them yet again, and on a greater scale. Before a man reaches puberty, his sensuality—the awareness and focus on what makes him feel good is in full effect. "For the imagination of man's heart is evil from his youth." (Genesis 8:12c).

Three Categories of the Depraved State of Man

Of the three categories of the depraved state of man, all three begin with the word "lust". The world is the domain of Satan. His evil forces are constantly at work in human affairs

of the saved and unsaved, the righteous and the wicked, the clothed and the naked. Jesus confirmed this in his rebuke of the Pharisees in John 8:44 saying, "Ye are of your father the devil, and the 'lust' of your father will you do."

Lust in the Greek is, *epithumia* which means desire, crave, and a longing for what is forbidden; concupiscence—sexual desire. Satanic lusts are like those of men but much stronger because of being agitated by spiritual forces. A redeemed man in this world order has been delivered, but is still in a relentless fight..

"For we are not fighting against people made of flesh and blood, but against the evil rulers and authorities of the unseen world, against those mighty powers of darkness who rule this world, and against wicked spirits in the heavenly realms." (Ephesians 6:12 NLT) Evil spirits and evil men have the capacity to increase in works of the flesh using their imaginative and procreative faculties in greater degrees of sin over time. *I Timothy 3:13 declares, "But evil men and imposters will proceed from bad to worse, deceiving and being deceived." (NASB)*

The Lust of the Flesh

Lust and works of the flesh are described in several scriptures. The more comprehensive are captured in Romans 1:26-32; Galatians 5:19-21; and II Timothy 3:1-7 which are specific to redeemed men who have the tendencies of wicked or evil men, or men who have the appearance of being redeemed, but are in fact imposters. For the purpose of this study, we will review the seventeen works of the flesh describe in Galatians 5:19-21.

Adultery – unlawful sexual relations between men and women, single or married when one is married.

Fornication – same as adultery above besides all manner of other unlawful sexual relations.

Uncleanness – whatever is opposite of purity; including sodomy, homosexuality, lesbianism, pederasty, bestiality, and all other forms of sexual perversion.

Lasciviousness – licentiousness, lustfulness, unchastity (sexually suggestive), and lewdness (inciting to lust); wantonness (sexually lawless) and filthy; anything tending to foster sexual sin and lust.

Idolatry – image worship, including anything upon which passions are affectionately set; extravagant admiration of the heart.

Witchcraft – sorcery, practice of dealing with evil spirits; magical incantations and casting of spells and charms upon one by means of drugs and potions of various kinds.

Hatred – bitter dislike, abhorrence, malice, and ill-will against anyone; tendency to hold grudges against or be angry at someone.

Variance – dissensions, discord, quarreling, debating, and disputes.

Emulations – envies, jealousies; striving to excel at the expense of another; seeking to surpass and out do others;

unscurred rivalry spirit in religion, business, society, and other fields of endeavor; fervent minded; envy; jealousy; and indignation.

Wrath – indignation and fierceness; turbulent passions; domestic and civil turmoils; rage; determined and lasting anger.

Strife – contention; disputing; jangling; strife about words; angry contentions; contest for superiority or advantage; strenuous endeavor to equal or pay back in kind the wrongs done to one.

Seditious – divisions; parties and factions; popular disorder; stirring up strife in religion, government, home or any other place.

Heresies – a doctrinal view or belief at variance with the recognized and accepted tenets of a system, church, or party. It takes on an evil meaning when sound doctrine is rejected and fallacy is accepted and taught in preference to truth. Heretic—a person who holds a heresy, a dissenter, a nonconformist.

Envy – Pain, ill-will, and jealousy at the good fortune or blessing of another; the most base of all degrading and disgraceful passions.

Murders – To kill; to spoil or mar the happiness of another; hatred.

Drunkness – Living intoxicated; a slave to drink; drinking bouts.

Revelling – Rioting; lascivious and boisterous feasting, with obscene music, and other sinful activities; pleasures; carousing.

“But chiefly them that walk after the flesh in the lust of uncleanness, and despise government; presumptuous are they, self-willed, they are not afraid to speak evil of dignities.” 2 Peter 2:10

Every one of these infirmities of the flesh are rooted in deprivation—the overwhelming sense of not having enough, consequently engaging in carnal, man-made solutions to fill the void of emptiness and lack. Notice the top four matters of lust of the flesh are related to sex. God’s plan and purpose for sex is always enough. Sex outside of God’s plan and purpose always leaves a man empty, causing him to pursue greater frequency and variety to be sexually fulfilled. He never has enough.

How Much Sex is Enough

So how much sex is enough? To answer the question, let’s start with the fundamentals. God created sex. His purpose for sex was in accordance with his plan for populating the earth. Because of the number of people required to fill his population agenda in the beginning and across centuries and generations, he intended it to be something that both Adam and Eve would enjoy immensely and frequently. It takes several attempts for conception to occur in some cases. As such, God wanted each effort to be an enjoyable experience so Adam and Eve would keep trying—over and over and over again!

Additionally, since God made sex for procreation, he only intended it to be between a man and a woman. Since procreation

is a spiritual act between carnal beings, God intended it to occur only in the institution of holy matrimony—marriage.

During the rigors and pain of childbirth women often conclude they will never go through the experience again. In other words, she vows she will never have sex again. Thank goodness those thoughts are only temporary. Subsequently, soon after cradling the bundle of joy in her arms, within a short period of time the delight of motherhood gives way to the ecstasy of what made it all possible. Her desire for sexual intimacy is restored and the procreative process begins again.

In holy matrimony, even after a couple has met their charge to be fruitful and will have no more children, the desire for sexual intimacy still exists. So they continue to affectionately enjoy each other in ways that bring one another pleasure, honoring God without defiling their bodies and until death breaks the holy union. This is the lifestyle of sex intended by the Creator. This is the kind of sex that fulfills a man—a clothed man.

Sexual acts pursued for purposes other than procreation and marital pleasure in holy matrimony is the sex life of a naked man. When men are unrestrained in their quest for sex outside of God’s purpose they will never be fulfilled. Naked men refuse to give in, so they pursue sexual fulfillment through multiple partners, with the opposite sex, same sex and sex outside of marriage and many other vile, vulgar and inappropriate ways which defile their body-temple and dishonor God. This is the kind of sex that leaves a man continually empty—the sex life of a naked man. Who told you that you were naked?

The Lust of the Eyes

The eyes are the gateway to many visual stimulants to sin. Often times the things we see stir up cravings and imaginations that are far from our minds. A man could be walking through the park with his beautiful fiancée, suddenly notice another woman and begin to have inappropriate thoughts about her. A man could be in the grocery store in the check-out line at the end of a long workday, come upon the magazine stand and suddenly notice the voluptuous models and celebrities on the cover of the tabloids and women's magazines. He can even be in church still overwhelmed by the atmosphere of worship and out of nowhere shameful thoughts enter his mind because of something he has just seen.

Lusts of the eyes are the unintentional or the deliberate effort to seek out those things which stimulate thoughts, imaginations and fantasies for sensual gratification. Unrestrained episodes of lust of the eyes eventually go beyond thoughts, imaginations and fantasies and lead to physical acts of sin. A man cannot allow himself to be subjected to things that encourage wicked imaginations after he has been redeemed. We have enough challenges wrestling with memories of the wild and crazy things we did in our wilderness years before we were saved.

As clothed men increase in spiritual growth, we also increase in self-control. Instances of visual provocations will occur throughout our Christian walk. The "and suddenly" and "out of nowhere" instances of visual stimulation of our sinful nature diminishes over time. Instances of deliberate efforts to seek out pictures, movies, books, websites, people and places to visually stimulate lust is not in the nature of a clothed man. If

he does see something provocative, he will be convicted in his spirit, not condemned, ever seeking to discipline his eyes to be fixed only on the things which feed his spirit and God's vision for his life, and to shun the things that feed his flesh leading him into temptation.

When a man's eyes lack spiritual discipline it will lead him to lust for women, lust for other men, covetousness, idolatry and all kinds of desires and evils. The scriptures encourage us to guard our hearts, for out of it flows the issues of life. But men should be even more diligent to guard their eyes, for they are the entry point to a man's soul, which stores up the things that come out of our heart.

When a man looks intentionally upon another woman to lust after her, he has committed adultery already with her in his heart. (Matthew 5:28) Because of this some men would say, since I have already committed adultery in my imagination, I might as well receive the full benefit of the physical act. That is the rationale of a naked man. A clothed man is convicted by even the thought of the visual transgression and does not want it to go any further. He realizes that acting on his imagination has far greater consequences than what has crossed his mind. A naked man does not consider the consequences. In some cases he actually does but is willing to take the risks.

Rather than being intentional in seeking opportunities to lust, clothed men do everything they can to avoid it. Job was intentional in his efforts when he said, "I made a covenant with my eyes, that I would not look with lust upon a young woman." (Job 31:1 NLT) David grew strong in the Lord after his transgression with Bathsheba. The consequences of his sin

on his kingdom reign and his household were overwhelming. After experiencing God's mercy and forgiveness, David wrote a song expressing his gratitude and resolve.

"I will sing of love and justice; to you, O Lord, I will sing praise. I will be careful to lead a blameless life. When will you come to me? I will lead a life of integrity in my own house. I will refuse to look at anything vile and vulgar. Psalm 101:1-3

Listen brothers, as a man, God created us with the capacity to recognize and to have a divinely inspired appreciation for the beauty, elegance and femininity of a woman. Don't condemn yourself for having this precious gift. Conversely, don't abuse it. If we are to conquer the stronghold of condemnation, we have to be as determined as Job and David in gaining control over our eyes. Let's pray together.

"Heavenly Father, I commit my eyes to you, that everything I see will be filtered through the eyes of the Holy Spirit. I will not stare in lust after any women, any man or anything. Let your vision for my life, my family and my future guide and govern the things I deliberately seek. In Jesus name, Amen."

The Pride of Life

Pride is the root of many transgressions. A man's desire to please himself rather than please the Most High God is at its core pride. Serving self for the purpose of satisfying egotistic motives and ambitions is the pride of life. Pride leads to condemnation of the devil. Some men are so driven by power, influence and money they will do almost anything to get it. Addiction to prestige has caused men to get involved in activities such as

financial fraud, drug dealing and high stakes gambling. Their ambitions for wealth and a prominent name mean the world to them. But what does it profit a man to gain the whole world and lose his soul? The thirst for positions, power and riches for self-centered reasons can never be quenched. A naked man will never have enough.

God is not intimidated by a man who has a vision for prestige and wealth. He is the one who gave us the desire to have it. He is also the one who gives us the power to achieve it (Deut. 8:17). Because he is a jealous God, he will have no other god take his rightful place as the Sovereign Lord of our lives. When we place God as subordinate to our aspirations of prestige, prestige becomes our god. When we place God as subordinate to our aspiration for wealth, wealth becomes our god. God's covenant is filled with exceedingly great and precious promises which confirm his desire for sons of God to have a prestigious and prosperous life for his glory, not for our self-aggrandizement.

"I know the plans I have for you says the Lord; plans to prosper you, not to harm you; to give you a future and a hope." (Jeremiah 29:11)

God's plan for a man includes prospering him in every area of his life. It is his will that his sons be renowned in the earth, set apart and distinguished from other men. His aspirations for his sons include making our name great (Genesis 12:2). His covenant includes making us the head and not the tail, above only and not beneath (Deuteronomy 28:13). He even decreed international prominence when he said, *"And all people of the earth shall see that thou art called by the name of the Lord and they shall be afraid of thee"* (Deuteronomy 28:10).

God not only has a plan for our prestige, he also has a process whereby he develops a man to a level of humility, maturity and spirituality to the point where he understands at all his substance and influence is of the Lord. God has a track record of bringing men from obscurity to prominence. Consider Joseph's ascension from a puny tattle tale dreamer to the Prime Minister of Egypt. Look at David's advancement from the shepherd boy to the warrior King of Israel. And God's accession plan for Daniel took him from a Jewish slave to a viceroy of one of the provinces in the Babylonian Kingdom.

God has a motive for taking us through trials and tribulations; he works his plan of prestige in our lives. His motive is that when we arrive to our place of destiny, we do not forget that it is he who has brought us through the wilderness into our land of material prosperity and public prominence. He does not want us to be overtaken by the pride of life; *"And thou say in thine heart, my power and the might of mine hand hath gotten me this wealth. But thou shalt remember the Lord thy God: for it is he that giveth thee power to get wealth, that he may establish his covenant which he swore unto thy fathers, so it is this day. (Deuteronomy 8:17-18)*

We don't have to come up with some get-rich-quick scheme to become financially secure and men of renown. God desires for us to have wealth, but he wants us to gain it according to his plan and his way. According to his word, he wants us to have enough money to:

- Pay tithes and give offerings
Malachi 3:8-10
- Have all sufficiency to give on every occasion II
Corinthians 9:8

- Lend to many nations and not have to borrow
Deuteronomy 28:12
- Have wealth and riches in our house
Psalm 112:3
- Leave an inheritance for his children's, children
Proverbs 13:22

To put it into practical terms, God wants us to have enough money for:

- Food, clothing, shelter and transportation
- Life insurance
- Healthcare insurance
- Retirement plans
- Savings account
- No credit card debt
- Vacations
- Put our children through college
- Sustaining and maintaining our homes and automobiles without debt
- Sharing with family and friends in need

A son of the Most High God should not be barely making it from pay check to pay check, taking out payday loans, title pawn loans and borrowing money from his neighbors and friends to feed his family. That is the lifestyle of a naked man. We should not have to borrow every time we need a new set of tires, pay for home repairs, or to buy gifts for the Christmas holidays. Neither does he want us to have just enough. Just enough to:

- Pay the minimum payment on your credit card bills
- Pay the interest on your mortgage or car

- Fill up to a quarter tank of gas
- Buy a half dozen roses for your wife

Just enough is still not enough. When a man of God is ely getting by he cannot experience the joy of the Lord. at a terrible testimony it is for a God who is supposed to e everything and who can do anything to have sons who are ke, busted and depressed due to insufficient funds to sustain ir household. God wants us to have more than enough. hed men should not have to experience foreclosure, car ossession and bankruptcy. The blessing of the Lord makes rich, and he adds no sorrow with it. (Proverbs 10:22)

Lust of the flesh, lust of the eyes and the pride of life has sed and continues to cause men to fall short of being all d has called us to be. A lifestyle of lust and pride is the style of a naked man. When clothed men are caught up in se behaviors, it is usually a result of backsliding, or a lack ibiding in Christ and his word. The further away we get the re inclined we are to the misgivings of lust and pride. Some is don't even put up a good fight. Many do not willfully turn und until transgression turns to tragedy and tribulation. it not be so with you. Who told you that you were naked?

Heavenly Father: Strengthen me with strength in my soul; t renew my mind day by day to the fullness of the mind of rist. Help me that I would not be distracted or deceived in ieving that the world has greater things to offer than the and pleasures of a relationship with you and your kingdom. me not forget that in your presence there is fullness of joy, t at your right hand are pleasures for evermore. Help me stand on your word that if we obey and serve you, we will

spend our days in prosperity and our years in pleasures. In Jesus name, Amen.

"Man's ecstasy is God's touch on the quickened, responsive spirit-nerves. Joy. Joy. Joy! God Calling"—A. J. Russell

I have experienced the ecstasy of the joy and pleasure of the glory of God manifested in me and through me. No carnal experience: sex, drugs, alcohol, or public recognition can compare to it. Spiritual ecstasy is far greater than sensual ecstasy. The pleasures of the world are inferior to the pleasures of the Kingdom of God. A clothed man can have more fun by accident than a naked man can have on purpose.

Adam experienced this joy and pleasure in his walk with God all the days of his life before The Fall. Afterwards, he spent the rest of his life trying to get it back. We inherited the emptiness and loss he discovered when his eyes were opened after the transgression.

The serpent still wants to deceive and deprive us of the presence of God. God has restored ancient Eden. The Kingdom of God is here. However, there is a dress code, a prerequisite for entering into Kingdom ecstasy. We must be clothed with Christ (Galatians 3:27). Like the sign on the restaurant door—*"No shirt. No shoes. No Service."* For men who are still naked, the serpent is working hard to keep them naked in order to keep them out. To those who are clothed, he is working diligently to convince them they are still naked in order that they would not walk in their inheritance as kingdom men.

Case Study: The Prodigal Son—The Restoration of a Depraved Son

The prodigal son was the youngest of two boys. His father was wealthy. In his father's household he had everything he needed for life and living. Because of his place of inheritance in the household as the youngest son, he would ultimately inherit a wholesome portion of his father's estate in order to support and sustain his own household at the appointed time in the future. His depraved state of mind convinced him that his current state was not good enough and that he could not wait for the appointed time to receive his inheritance. He had a plan of his own which could not wait.

So he pleaded his case before his father. He wanted his inheritance and he no longer wanted to live under the mentorship and guidance of his father. While he should have realized just how blessed his life was, anticipating the certainty of an even greater future state, he grew dejected and was determined to strike out on his own. He was absolutely convinced in his depraved mind that life would be better if he was living by his own standards. Rather than concluding, "Man, I have got it made living and working here at home with my Father." His position was, "There is a better life out there and I'm going to shun on early retirement right now and go after it."

So he took his portion of the inheritance, "and not many days after" gathered all he had and journeyed to a far country, and there wasted his inheritance on riotous living. He became broke and could not find a job. Eventually, he found a job feeding swine. He did not make enough money to make it from day to pay day. He grew desperate to the point of graving

the husks the swine ate. No man wanted to help him. Like the R&B great Bobby Womack said, "nobody wants you when you're down and out." The prodigal son was in an extreme case of nakedness.

Suddenly, while at the end of his rope, with his back against the wall and ready to throw in the towel, he came to himself. He considered his father's household and how the hired servants were better off, he decided to go back home. When he arrived on their property, while he was still a good way off, his father recognized that his son had returned home. So he ran to him, kissed him in his filthy naked condition and ordered the servants to bring his the best robe and shoes for his feet. The compassionate father clothed him and restored him to his former status in the household with the full rights and benefits of a son.

This story is good news for depraved men who have had their own plan to live life their own way and failed. Depravation has the tendency to keep a man in the hog pen trying to figure out a solution to the mess that he has made. The grace of God leads a depraved man to repentance. Get up O naked man! The Father is waiting on you to come back home. He will clothe you with his best robe and shoes, and restore to you all the rights and benefits of a beloved son. Who told you that you were naked?

So, chosen by God for this new life of love; dress in the wardrobe God picked out for you: compassion, kindness, humility, quiet strength and discipline. Be even-tempered, content with second place, quick to forgive an offence. Forgive as quickly and completely as the Master forgave you. And regardless of what

else you put on, wear love. It's your basic all-purpose garment. Never be without it. Colossians 3:12-14 (MB)

Chapter 8

Lead Us Not Into Temptation

Let no man say when he is tempted, I am tempted of God: for God cannot be tempted with evil, neither tempteth he any man: But every man is tempted, when he is drawn away of his own lust and enticed. Then when lust hath conceived, it bringeth forth death. James 1:13-15

Every man is tempted with lust of the flesh, lust of the eyes and with pride. Each of us have our vulnerabilities and our weaknesses. We all have repressed sensations etched in our flesh from the days before we committed our lives to Christ. Many of us are challenged with how long to look at a beautiful woman without allowing lust to be conceived, or how long to look in awe at certain material possessions of others without being covetous. Additionally, there are those among our ranks who wrestle with aspirations of success and achievement whose motive is not for the glory of God but to glorify self. In spite of these truths, we should not be discouraged. Jesus was tempted at all points as we are, yet without sin (Hebrews 4:15). Because Jesus was victorious over temptation, we too have the victory.

How is it then that a clothed man who has victory over temptation falls into temptation which leads to transgression? We fall when we allow ourselves to be drawn away, caught up in the moment and linger in the thought processes that lead to the conception of lust. If we give place, linger, dwell, permit the opportunity for prolonged exposure to our vulnerabilities and weaknesses, we are at the risk of being drawn away into our own lust.

Our "own lusts" are the specific misgivings we have wrestled with over time. They are the tendencies, ways and habits of our flesh that the "old man" was accustomed to during our undisciplined wilderness years.

Because every man is tempted (has the propensity to be drawn away into his own lust) the enemy knows he can be enticed. In other words, he knows the specific misgivings we have wrestled with and he knows when we are at our weakest and most vulnerable state, so he deliberately provokes us with people, places and things that are strategically engineered to make us fall into temptation.

Temptation initiated the sequence of events in the human spirit which led to Adam's transgression. Since that time, men have faced and continue to face temptation on a daily basis. All great men of God from the bible days faced temptation. Many great men of God in modern history and current times faced temptation. Many have fallen and have become trophies of the enemy, discrediting the testimony of God. You and I as clothed men seeking the purpose and promises of God for our lives also face temptation. We cannot give Satan any more trophies.

Temptation is the innate component of our carnality which consistently wonders, "What if...?" or "I wonder what it would be like to...?" Temptation feeds the thoughts and imaginations of the human spirit continuously. Without the counter balance of the Holy Spirit, a man's imaginative carnal "what if" and "I wonder" scenarios can manifest into full blown acts, events, episodes, sequels and even mini-series of transgressions.

Righteous men should not fear temptation, though it is easier said than done. When considering all seventeen works of the flesh studied in Galatians 5, men are tested relentlessly in some way, shape or form to transgress in many of them. Given the challenges of personal and professional relationships, being a bachelor, being married, career and ministry ambitions and maintaining sexual purity, the reality is that on any given day any man can fall. A naked man does not even put up a fight. He has resigned to the sinful nature and is content being naked. A clothed man diligently fights, and is never satisfied with transgression. Praise God we don't have to fight on our own strength. We have a helper in the Holy Spirit.

A clothed man's strength is in the Lord. He overcomes the valleys of temptation and with each victory, he grows stronger and stronger as he diligently seeks and abides in the Lord his God. Psalm 84:5-7 supports this position: *Blessed is the man whose strength is in thee: in whose heart are the ways of them. Who passing through the valley of Baca, make it a well, the rain filleth the pools. They go from strength to strength, every one of them in Zion appeareth before God.*

Abraham's nephew Lot is a great example of a righteous man challenged by the temptations of his environment. In II

Peter 2 the text provides testimonies of God's judgment and condemnation in three historical scenarios: the fallen angels who had sexual relations with the beautiful earth women; the people of Noah's time and the Flood; and the people of Sodom and Gomorrah in Abraham's time. Those angels who were involved in sexual relationships with the earth women were condemned and are still in chains. The people who would not repent after hearing Noah's plea to reconcile with God were condemned to drown in the Flood. The people of Sodom and Gomorrah were condemned to destruction by reducing them to ashes. God made an example out of them to those who would live ungodly lives thereafter. Condemnation is still the verdict for the rebellious today.

However, the text demonstrates an exception made for Lot. Here, Lot is described as, "...vexed with the filthy conversation of the wicked: (for that righteous man dwelling among them, in seeing and hearing, vexed his righteous soul from day to day with their unlawful deeds;) the Lord knows how to rescue the godly out of temptations, and to reserve the unjust unto the day of judgment (vv.7-9). A major component of the weight of condemnation is thinking our deliverance from temptation is ours to deal with on our own. It is God who watches over us while we are going through temptations. He sustains us as we are being buffeted and bewrayed in an environment saturated with concupiscence. He knows how to deliver his sons from temptation.

Because it is God who delivers from temptation, no man can say that he is tempted of God. God cannot be tempted with evil, neither does he tempt any man. (James 1:13)

But every man is tempted, when he is drawn away of his own lust and enticed. Then when lust hath conceived, it bringeth forth sin: and sin, when it is finished, bringeth forth death. James 1:14-15

But every man is tempted. Each of us have our areas where we are vulnerable. All of us have our weak spot. We are tempted when we give place to, linger in, dwell on, and permit opportunity for prolonged exposure to thoughts, people, places and things which challenge our vulnerabilities. This prolonged exposure leads to being drawn away in our own lust—specific misgivings, tendencies, fetishes, and favorite sins. As such, we are enticed. The deliberate provocations of certain people, certain movies, magazines and media, certain places and things begin to reduce our spirituality and heighten our sensuality ultimately resulting in transgression.

James 1:14-15 identifies a seven-step process of temptation. *But each man is tempted, when he is drawn away of his own lust, and enticed. Then when lust hath conceived, it bringeth forth sin: and sin, when it is finished, bringeth forth death.*

Seven (7) Steps to Temptation (Dake's Study Bible)

- Tempted—the thought of evil v.14
- Drawn Away—strong imagination v.14
- Lust—delight in viewing v.14
- Enticed—weakening of the human will v.14
- Lust Conceived—yielding v. 15
- Sin—sinful act committed v.15
- Death—result of actual sin v.15

So in the words of the old hymn, "He Will Carry You Through": "Yield not to temptation, for yielding is sin. Each victory will help you, some other to win. Fight manfully onward; dark passions subdue. Look ever to Jesus, he will carry you through." Remember this, "Blessed is the man that endures temptation; for when he is tried, he shall receive the crown of life which the Lord hath promised to them that love him." (James 1:12) Oh what treasures we forfeit when we give in to temptation.

The Escape Route

When I consider my transgressions, I have always experienced a cringe in my spirit when I read I Corinthians 10:13 (NLT) But remember that the temptations that come into your life are no different from what others experience. And God is faithful. He will keep the temptation from becoming so strong that you can't stand up against it. When you are tempted, he will show you a way out so that you will not give in to it.

I cringe under the realization that God is faithful in this regard. He always provides and escape route. He always does. Since he always does and I still transgress, it means that I sinned because I chose to, not because the devil made me do it. Upon this realization, I often experience condemnation—the guilt and shame part of it. Condemnation is never the appropriate response for a clothed man. Prior to the transgression, God is at work in me to will and to do according to his good pleasure (Philippians 2:13). The way God works in me is through the Holy Spirit. Consequently, the Holy Spirit recognizes I am in the early stages of temptation and begins to show me God's will so that I can do according to his good pleasure, not my pleasure. His instructions are very clear, even though I am experiencing the

burden, weight, the stress of having to choose. The stress of choice is proof that I know the escape route, but I am tempted not to take it.

Up to this point we are experiencing conviction. Conviction is God's guidance to the escape route when we are drawn away in the grip of enticements. Conviction is God at work in us coaching us to choose according to his good pleasure. Even when we fail and yield, it is conviction, not condemnation which brings us to the prayer of forgiveness and repentance. Let us pray together, brothers:

Heavenly Father: Thank you for your grace and mercy which always provides us an escape route when we are tempted. Thank you for explaining with such clarity that I have the conviction to do the right thing every time. Now I have the wisdom to make the right choice when I am tempted. Help me to choose obedience over transgression. Give me strength over my favorite sins. Help me to love the things that you love; and to hate the things that you hate. Nothing compares to the promises we have in you. In Jesus name, amen!

Chapter 9

The Wrestling Match

For we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places. Ephesians 6:12

Temptation in and of itself is not sin. Jesus was "in all points tempted as we are, yet without sin." (Hebrews 4:15) Jesus was tempted by the devil in the wilderness with opportunities which correlate to all three categories of carnal challenge: the lust of the flesh, the lust of the eyes and the pride of life. Having heard the proposals of Satan for his consideration, Jesus cancelled each with scripture. Considering a matter does not constitute a transgression. When we cancel it out with scripture and prayer, the temptation does not progress to a sinful act. In other words, when considering the seven steps of temptation, we can be tempted, drawn away, lust, and enticed; but draw strength through conviction to speak scripture to our situation and pray, but never reach the point of yielding. However as clothed men, righteous men, godly men, good men we are in a constant wrestling match vacillating between the naked

mentality and the clothed mentality; between conviction and condemnation.

Romans 7 depicts a text most men immediately relate to as the Apostle Paul articulates his wrestling match between conviction and condemnation:

14" For we know that the Law is spiritual, but I am of the flesh, sold into bondage to sin. 15 For what I am doing, I do not understand; for I am not practicing what I would like to do, but I am doing the very thing I hate. 16 But if I do the very thing I do not want to do, I agree with the Law, confessing that the Law is good. 17 So now, no longer am I the one doing it, but sin which dwells in me."

18 For I know that nothing good dwells in me, that is, in my flesh; for the willing is present in me, but the doing of the good is not.

19 For the good that I want, I do not do, but I practice the very evil that I do not want. 20 But if I am doing the very thing I do not want, I am no longer the one doing it, but sin which dwells in me. 21 I find then the principle that evil is present in me, the one who wants to do good.

22 For I joyfully concur with the law of God in the inner man, 23 but I see a different law in the members of my body, waging war against the law of my mind and making me a prisoner of the law of sin which is in my members. 24 Wretched man that I am! Who will set me free from the body of this death? (NASB)

The Thorn In The Flesh

For many years men who have not wholly studied this passage of scripture inductively have pondered the mystery of the Apostle Paul's "*thorn in the flesh*". Most men who are aware of it have wondered what it could have been. Many of us have been curious as to how could such an anointed man of God have such a challenge. Many of us have hoped that Paul's thorn in the flesh is the same weakness we've wrestled with for years, yet without victory. While others have concluded that this thorn was a physical malady such as a limp or a hump in his back or even that he was short in stature, without any scriptural evidence to support these conclusions.

We have rationalized our own weakness(s) by thinking, if Paul had a "*thorn in the flesh*" that God did not remove, then so should I. We have wondered whether the anointed Apostle had only one issue or several. Closer examination of the text and deeper study clarifies that Paul as a contender in the spiritual wrestling match had only one thorn, but many infirmities.

The Messenger of Satan

And lest I should be exalted above measure through the abundance of the revelations, there was given to me a thorn in the flesh, the messenger of Satan to buffet me, lest I should be exalted above measure. 2 Corinthians 12:7

Paul's thorn in the flesh was "*the messenger of Satan*". This messenger is described as an angel or demonic spirit; an evil spirit; or the evil one as mentioned in The Lord's prayer,

Matthew 6:11. The messenger of Satan was a demonic spirit of condemnation, a tormentor.

The messenger of Satan had a specific job description. His purpose was to buffet and to bewray Paul continuously. A review of these two verbs give a clear description of the messenger's assignment and what Paul was experiencing as he pursued God's calling on his life and ministry.

To Buffet is:

- To knock about
- To strike repeatedly
- To beat back
- To fight or struggle against

In other words Paul was constantly under attack by the messenger of Satan. He would knock him about, strike him repeatedly, beat him back when he sensed progress and consistently engaged in the wrestling match against him.

To Bewray is:

- To accuse
- To torment
- To expose
- To rehearse
- To charge
- To cause to give in

This component of the messenger's job included internal and external accusations, Paul beating up himself and accusations of others leading to torment of guilt, shame and judgment; exposing his weaknesses; rehearsing his past transgressions;

charging him with new allegations and ongoing pressure to throw in the towel and to quit.

The messenger of Satan is still alive and on his job today in the lives of clothed men of God, buffeting and bewraying. If Satan were to give the messenger a performance evaluation, his rating would be "*highly effective*".

The reason for the "*thorn in the flesh*" according to the text was, "*lest I be exalted above measure through the abundance of the revelations*". God had revealed things to Paul that no other Apostle and no other man knew. He was also using Paul to do unprecedented, unusual and incomprehensible wonders, miracles and mighty acts. As God allowed Satan to test Job, God also allowed the messenger of Satan to buffet and bewray Paul to keep him humble in order that he may continue to use him as his chosen vessel to bring the Gospel to the Gentiles. Humility is a quintessential trait for the man who would be a transformer for the Kingdom of God.

God is using many men today to manifest his glory in unprecedented, unusual and incomprehensible ways. He has revealed plans and initiatives to men as leaders of households and ministries and in the marketplace that will transform families, churches, society and businesses. Could it be that God still allows the messenger of Satan to buffet and bewray us to keep us humble, to keep us focused and relying on him for strength to fulfill his mission? We must ask ourselves, "What is the reason I have this thorn in my flesh?" With all this vision and revelation, these wonders and mighty acts, if it were not for this evil messenger, would I digress, become puffed up and be overtaken by the lust of the flesh, the lust of the eyes and

the pride of life? Rather than continue to wrestle, many men need to come to the conclusion and revelation of the Psalmist who wrote, "It is good for me that I have been afflicted that I might learn thy statutes." (Psalm 119:71)

Paul's prayers to God to remove the thorn in his flesh were heard, but not answered in the way he requested, "that it might depart him". God's response was, "My Grace is sufficient for you. For my strength is made perfect in weakness." Paul's response and resolve is that of a spirit-filled, clothed man. He came to the conclusion he did not have the power to remove the thorn in his flesh. He realized his constant carnal effort to deal with it on his own is the mindset of a naked man. He made up his mind that he would stand on the promise of the grace of God. His soul was saturated with the conviction that "where sin abounds, grace did much more abound." (Romans 5:20b)

That conviction led to a bold decree, "Most gladly therefore will I rather glory in my infirmities, that the power of Christ may rest upon (clothe) me. Therefore I take pleasure in infirmities, in reproaches, in necessities, in persecutions, in distresses for Christ's sake: for when I am weak (naked) then I am strong (clothed).

Who told you that you were naked!

Glorying and taking pleasure in infirmities is a radical paradigm shift in the mind of a righteous man. We have struggled with condemnation for so long; we just cannot get our minds around this concept. We have embraced the flawed conclusion that guilt, shame and depression over transgressions invokes God's grace and mercy into our situation and by this twisted

behavior, he is more apt to pardon us from the consequences of our sin.

Even those of us who have tried to exercise this faith and freedom eventually begin to feel guilty that we are not feeling guilt, shame and depression from our transgression. This manner of flawed thinking is the work of the messenger of Satan—the spirit of condemnation. When we experience this tormenting we must make the bold decree—the devil is a lie! We have to come to the point in our walk with God where we rejoice while being buffeted and bewrayed. We might as well rejoice, because the messenger will not relent.

Paul spoke of this mind of the clothed man when he said, *We are troubled on every side, yet not distressed; we are perplexed, but not in despair; persecuted, but not forsaken; cast down, but not destroyed (II Corinthians 4:8-9).* We should not allow the loss of a round in the wrestling match to cause us to feel defeated and condemned. The trials of the wrestling match are ordered by God to keep us focused and humble and to build our faith. We have already won.

So brothers, "think it not strange concerning the fiery trial which is to try you, as though some strange thing happened unto you: But rejoice, inasmuch as you are partakers of Christ's suffering; that, when his glory shall be revealed, ye may be glad also with exceeding joy. If you are reproached for the name of Christ, happy are ye; for the spirit of glory and of God rests upon you (clothes you): on their part he is evil spoken of, but on your part he is glorified. (I Peter 4:12-14)

Therefore being justified by faith, we have peace with God through our Lord Jesus Christ, 2 by whom also we have access by

faith into this grace wherein we stand, and rejoice in hope of the glory of God. 3 And not only so, but we glory in tribulations also: knowing that tribulation worketh patience; 4 and patience, experience; and experience, hope: and hope maketh not ashamed because the love of God is shed abroad in our hearts by the Holy Ghost which is given unto us. (Romans 5:1-5)

The disposition of a clothed man during the entire wrestling match should be rejoicing, glad, exceeding joy, happy and peace. We should not allow our infirmities nor the frequency of our transgressions to cause us to walk in condemnation.

The Issue of Infirmities

The Apostle Paul's confession was that he had one thorn in the flesh and infirmities—plural. Paul, the man of God had several infirmities. In his letters he spoke of many trials, tribulations and persecutions. He was shipwrecked, snake bitten, beaten, stoned, imprisoned and many other perils (I Corinthians 11:23-33). However, these sufferings are external. The infirmities he spoke of were specific to internal sufferings of body and soul—but not associated with a physical disease.

Infirmities in the Greek translation is "astheneia", want of strength; weakness; infirmity: meaning a moral, mental, or physical weakness or flaw. Dictionary.com defines infirmities as feebleness of mind and body, malady, frailty, disease, sickness and weakness. Dake's Annotated Study Bible offers these definitions and cross references for our review.

- Utter helplessness of the body in death (I Cor. 15:43; 2 Cor. 13:4)

- Infirmity of body (Mt. 8:17; Luke 5:15; 8:2; 13:11-12; Jn. 5:5; 11:4; Acts 28:9; I Tim. 5:23)
- Weakness of ability (Heb. 11:34)
- Weakness of nature (Rom. 6:19; 8:26; Gal. 4:13; Heb. 4:15; 5:2; 7:28)
- Weakness of human ability (I Cor. 2:3)

All of our infirmities were bore on the cross according to Isaiah 53. Every infirmity is not a disease or sickness. Jesus was touched by all the infirmities of our flesh yet he did not sin. In other words, he experienced the temptations and the sensations of the human nature. The point here is that not all infirmity is associated with disease or sickness. Jesus was never sick and he never had a disease, though all sicknesses and diseases are infirmities.

Priest's had infirmities, but not disease or physical imperfections, for they had to be perfect physically to serve in the temple (Leviticus 21:17-24). All saints have infirmities or weaknesses of various kinds, but not necessarily all are sickness and disease.

Paul's infirmities more than likely were not sickness and disease, for he healed many of sickness and disease. What a poor testimony of the Lord would this have been to have a healer who himself was sick and could not be healed. A review of the cross references does not identify specifically what those infirmities were, however, it seems unlikely that they were associated with external sufferings, diseases, sicknesses or a physical defect. As such, the Apostle Paul could have been afflicted with one or more of the seventeen infirmities identified in Galatians 5:19-21.

Paul continued steadfast in ministry in spite of infirmities in his flesh (Galatians 4:12-16). God had him covered (clothed). He pressed toward the mark for the prize of the high calling in God. When he became weak, he had confidence in the grace of God and became as strong as a man clothed with Christ could become. Like Clark Kent, had the clothing of Superman beneath his carnal exterior clothing, a man of God is clothed with Christ internally, and has his carnal exterior literally covered. When we are weak, then we are strong. We cannot succumb to the tormenting lies of condemnation. We must press on in the high calling of God. Who told you that you were naked?

Case Study: Samson—A man of God with Many Infirmities (Judges 13-16)

Samson is one of the most renowned men of scripture. Since childhood we have known that Samson was the notorious strongest man to have ever lived. He is listed in the "hall of faith" in the book of Hebrews Chapter 11. However this famous biblical hero to all men of God was afflicted with great temptation and had many infirmities. As a matter of fact, of the seventeen infirmities listed in Galatians 5:19-21, Samson was afflicted with at least eleven and debatably more. Considering their definitions and the narrative of Samson's life he was afflicted with: adultery, fornication, uncleanness, lasciviousness, hatred, variance, emulations, wrath, emulations, strife, seditions and murders.

Samson was born miraculously to a barren mother through a miraculous angelic announcement. His purpose was to launch the deliverance of Israel from the oppression of their enemy the Philistines. He was to be a Nazarite from birth—anointed, set apart as holy from his conception, but did not fulfill his calling due to an addiction to strange women and a host of carnal afflictions. In Chapter 14, Samson saw a Philistine woman in Timnah that caught his eye. For Samson, it was "lust" at first sight. He wanted desperately to marry her. His mother and father opposed his choice of women. They wanted him to marry an Israelite woman according to the commandment of God, however, in Samson's eyes she was "the one".

Samson's bachelor party was a seven-day feast. On the first day he challenged the men with the riddle of "the lion and the honey". The bet was thirty changes of clothes—a wardrobe of

fine suits. The men could not figure it out, so they coerced his fiancé that Samson would give her the answer. After seven days of crying and nagging, Samson gave in and gave her the answer. His weakness for whining, nagging women would ultimately cost his destiny. He lost the bet because of her.

In his wrath he killed thirty innocent men, gave their clothes to settle the bet and went back home to live with his mama and daddy—angry. Because of his abrupt and brash departure, his father-in-law gave his wife to his best man. In Chapter 15, he returns to reclaim his wife, and discovered she was given to his best man. Samson went into a rage and burned all the fields of the crop of the Philistines. When the Philistines found out it was Samson's doing and why he did it, they burned his wife and her father to death. In his wrath of revenge, Samson killed a thousand Philistines with the jawbone of an ass.

Though he was anointed, he could not control his temperament nor his temptations. His infirmities dominated his character. Satan is not intimidated by your anointing if he has control of your character. In Chapter 16 it does not get any better. Samson gets involved with a prostitute in Gaza. Because his enemies knew his habits and where he hung out, they laid an ambush for him there. He escaped by lifting the entire gate of the city off its brackets.

He now falls in love with Delilah—another Philistine woman. His temptation and depravity kept taking him back to the same kind of women, no matter how much pain and loss he had experienced before. Delilah was also a nagger, she was devious and she used sex as a manipulative weapon.

The Philistines knew her weaknesses. They were familiar with all her ways. She loved money, attention and material things more than she loved Samson. She also served a different god than the God of Samson. So they made an offer of money, influencing an agreement to discover the source of Samson's strength. Due to Samson's experience of telling his secret riddle to his first wife, he knew not to trust Delilah. The first response to her diabolical request was a false answer to test her love and loyalty—she failed—but tried it three more times!!! However, he still stayed in the relationship even though he knew she was plotting to kill him.

Falling once again to relentless nagging and whining, he revealed the secret of his source of strength. Delilah set a trap for a fourth time. Samson thought he would wake up and shake free as times before, but his anointing was gone. God had abandoned him.

When a clothed man persists in dabbling in his infirmities and does not put up a good fight of faith with temptation, God releases him to his own demise. Like Samson, God always gives a clothed man plenty of warnings, signs and indications of when his mercy has been taken for granted before he allows us to fall. Samson was a sex addict with out-of-control emotions. His behavior cost his first marriage and the life of his wife and father-in-law; because he never gained control, it ultimately cost his vision and his future. Brothers, let us learn from the life of Samson. As clothed men, we must fight temptations and lay all our infirmities down for the joy of the Lord. Who told you that you were naked?

Chapter 10

Work Out Your Soul Salvation

Wherefore, my beloved, as ye have always obeyed, not as in my presence only, but now much more in my absence, work out your own soul salvation with fear and trembling. Philippians 2:12

To work out your soul salvation is to put into practice God's saving work in our lives. To work at establishing a lifestyle of order and discipline, aligned with the precepts, values and principles of the Word of God. "With fear and trembling", speaks to the intensity of our reverence toward our God and our staunch determination to do those things that are pleasing in his sight. The Message Bible translation says it this way, "Be energetic in your life of salvation, reverent and sensitive before God." Philippians 2:12

To work out our soul salvation involves the activities of the Christian life which are necessary to have a steady state of "walking in the Spirit". In order for God to be at work in us to will and to do according to his good pleasure (Philippians 2:13) a man must be a willing participant. He must have a life consecrated to God all the days of his life. In other words, his life must be wholly committed to God.

e Spirit is the state of being in Spirit-mode
we are in Spirit-mode, God is able to maximize
in us and through us. This brings him great
r 1:2-10 describes a constant, diligent effort
ve out the behavior, ways and manner of life
Is to the manifestation of the exceeding great
mises of our salvation.

works out physically, his body becomes the
diligent efforts he has demonstrated over a
A runner who runs consistently, combined
ate diet, will have evidence of their efforts in
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ce. A body builder who works out diligently
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cyclist who works out diligently will produce
faithfulness through cycling greater distances,
and their physical appearance.

al sense, a clothed man too must work out.
at our soul salvation. We are not working to
already saved if we have received Christ. We
ur soul salvation in order that we will increase
the spiritual, physical and material evidence
of God. The longer and more consistent we
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s are working out, they have their sights set on
ose who are passionate about their sport are
success in high school or college. As great as
ments are, every athlete who feels a calling in

that area of sports passion is working toward getting into the
pros. Even so, getting to the pros is a great accomplishment,
but no athlete who is passionate about their sport is satisfied
with just getting in. They want to achieve the ultimate prize
associated with their sport, the Lombardi Trophy (Superbowl),
The Commissioner's Trophy (World Series), the Larry O'Brien
Championship Trophy (NBA), the FIFA World Cup (Soccer), the
Stanley Cup (Hockey) or the Olympic gold medal. Those who
stay the course through good times and bad times, victories and
defeat, injuries, rehabilitation, discouragement and jubilation
will become the champions of the sport.

Working out our own soul salvation for a clothed man is
like the lifestyle of a passionate athlete. It is a man who is
diligently "working out" to achieve a heightened steady state of
"walking in the Spirit". He has his eyes on the prize of the high
calling of God—The Superbowl of the Kingdom of God where
every man has a chance at being the MVP. He is passionate
about his purpose as a man and is not satisfied with the small
trophies along the way. He celebrates long enough to show his
gratitude, then presses on, driven by the faith and expectations
that there are even greater rewards and greater purposes for
the elect of God.

A clothed man continuously works out. The sustaining
motivation and energy of his workout is not only the anticipation
of the ultimate prize, but also the joy of redemption when he
falls short. The determination in his workout is the hope of the
recompense of the rewards and promises when he feels like
giving up. He will continue to press on until his life is evidence
of the spiritual attributes of a son of God, until he is filled with
all the fullness of God, unto the fullness of the measure and

stature of Christ (Ephesians 4:13), the MVP. He continues to work out until the material evidence of the covenant is manifest in his household (Psalm 112).

1 Corinthians 9:24-27 Know ye not that they which run in a race run all, but one receiveth the prize? So run, that ye may obtain. And every man that striveth for the mastery is temperate in all things. Now they do it to obtain a corruptible crown; but we an incorruptible. I therefore so run, not as uncertainly; so fight I, not as one that beateth the air: But I keep my body, and bring it into subjection: lest that by any means, when I have preached to others, I myself should be a castaway.

We Have a Coach

A coach can only do so much. Coaches, as great as their desire to see everyone on the team succeed and develop to maximum athletic potential, are limited. Coaches can provide access to workout facilities and practice fields, the workout schedule, practice sessions, a book of plays, dietary plans, assistant coaches and mentors. Coaches also provide ongoing words of instruction, guidance, direction and even inspiration. However, it takes an obedient, diligent athlete to utilize all the resources available through the coach and to apply those resources on an ongoing basis to win the ultimate prize.

Likewise, the Heavenly Father can only do so much in his loving desire to see all sons of God fulfill his purpose for their lives and to reach their maximum potential of being filled with all of his fullness. As our Heavenly Father, God provides his sons with facilities: our (place of worship); a workout schedule and practice sessions: (men coming together in large and small

group ministry and retreats); a dietary plan of (fasting and prayer); and he provides pastors, teachers and mentors for spiritual and personal development.

Pastors and teachers provide instruction; guidance, direction and inspiration through God's play book—the Holy Bible. Yet, it takes an obedient, diligent son to take advantage of all the resources available through our Heavenly Coach, and apply them on an ongoing basis to achieve the ultimate prize of the high calling.

From time to time a coach will bring in a role model—living legends of former players that were developed to maximum potential while under their leadership or Hall of Famers who were once part of their sports organization. The value of role models to a coach is that they are living proof that when athletes commit themselves wholly to the guidance of the coach; they too can achieve the prize.

God also provides role models in history and in current times who were successful at achieving the ultimate prize of the high calling. The bible is filled with such role models. God is seeking to increase the number of living role models as evidence that his play book still works. Clothed men are best "suited" to achieve the ultimate prize. "Who told you that you were naked?"

The Diligence of the Clothed Man

And it shall come to pass, if thou shalt hearken diligently unto the voice of the Lord thy God, to observe and to do all his commandments which I command thee this day, that the Lord

thy God shall set thee on high above all nations of the earth. Deuteronomy 28:1

One of the most endearing traits of a world-class athlete is diligence. It is simply not enough to establish a workout schedule and within a matter of a couple of weeks, the workout schedule is abandoned for other priorities. It's not enough to begin a dietary regiment geared toward maximizing physical strength and agility and within a matter of days revert back to sedentary ways and unhealthy eating habits. For the world class athlete, working out is a way of life.

In contrast, diligence is an imperative to a clothed man who is working out his soul salvation. The diligent are constant and earnest in their efforts to accomplish what has been undertaken. They are persistent and attentive in the disciplines necessary to achieve their destiny. The diligent are hardworking and industrious. They are careful and steady in all their decisions, persevering through difficult assignments and painstakingly working to overcome ways and habits which stifle their spiritual growth and development. As a result of the unrelenting effort, they go from strength to strength and from faith to faith.

The activities of our workout begin with a commitment to a spiritual regiment that evolves and improves over time into a way of life. A clothed man has a daily routine of which he engages for the sole purpose of honoring God and invoking his presence throughout his day. He wakes up early in the morning to spend time worshipping and talking to the Father. He is careful and attentive in feeding on the Word of God through daily bible reading, bible study and small groups meetings. He has planned and impromptu periods of fasting prompted by his relationship

with the Holy Spirit. He diligently seeks reconciliation of broken relationships and works to strengthen established ones. He joyfully subjects himself to the accountability of other clothed men. He values their feedback and embraces the lessons learned from sharing with men of his fellowship.

The Holy Bible is quite clear on the significance of this virtue. Only the diligent will achieve the full slate of the blessings and promises of God. According to Deuteronomy 28, verses 1 and 2 confirms "And it shall come to pass, if thou shalt hearken diligently unto the voice of the Lord thy God, to observe and to do all his commandments which I command thee this day, that the Lord thy God shall set thee on high above all nations of the earth. And all these blessings shall come upon thee, and overtake thee, if thou shalt hearken unto the voice of the Lord thy God."

The prerequisite to all the blessings which follow is clearly stated in verse 1—and that is to "diligently hearken". In other words, we must exert a constant and earnest effort to hear, a constant and earnest effort to observe and a constant and earnest effort to perform the activities which demonstrate the Lordship of Christ and our obedience to him.

The Activities of the Diligent

The activities of the diligent man are well defined in scripture. As men, we do not have to guess what God would have us to do in order to demonstrate our faithfulness in pursuing his purpose for our lives. Consider the following as a scorecard for a diligent purpose driven clothed man:

keep thy soul	Deuteronomy 4:9
teach thy children	Deuteronomy 6:7
ask	Deuteronomy 13:14
inquire	Deuteronomy 17:4; 19:18
heed	Deuteronomy 22:5
search	Psalms 77:6
keep thy heart	Proverbs 4:23
obey	Zechariah 6:15
keep your	Proverbs 27:23

What we call life is a marathon, not a sprint. The diligent increase more and more with the working out our soul salvation. The race is not to the swiftest or to the strongest, but to the one who endures. The endurance of a diligent man is defined in scripture:

As a man diligent in his business, he shall stand before kings. Proverbs 22:29

The diligent sees good and procures favor. Proverbs 10:16

The fruits of the diligent tend only to plenteousness. Proverbs 11:5

The diligent shall be made fat. Proverbs 13:4

The diligent bears rule. Proverbs 12:24

The diligent maketh rich. Proverbs 10:4

Working out our soul salvation simply explains the ethic of a man who has made up his mind after all that God has promised. It is not an effort of the righteous, to get on God's good side and to please Him, for all of us who have confessed Christ are already

on God's good side and our righteousness is secured in Him. Diligently working out our soul salvation is the obedient lifestyle which causes us to grow and mature overcoming the curses of condemnation and walking in the blessings of our redemption.

- We are free from the law of sin and death
- The law could not save, it only condemns to death
- For the freed (clothed), the law convicts and brings life
- The righteousness required by the law was not nullified but fulfilled in us
- The carnally minded still walk in condemnation
- The spiritually minded have life and peace

Who told you that you were naked?

Chapter 11

The Disciplined Life of a Clothed Man

But if the Spirit of him who raised up Jesus from the dead dwell in you, he that raised Christ shall quicken your mortal bodies by his Spirit that dwells in you. Romans 8:11

Walking in the Spirit

The Spirit of God dwells in a clothed man. It is not the works of the law that sustains him spiritually. It is the Holy Spirit within the clothed man that sustains him spiritually. God the Holy Spirit does the work (Romans 9:11; Philippians 2:13). We do not have the capacity in our carnal condition to make ourselves righteous. If we did, there would have been no need for Jesus to come.

The Work of the Holy Spirit

- Set Free from sin
- Fulfills righteousness
- Gives life
- Mortifies sinful members
- Cancels the death penalty
- Indwells believers
- Quickens our mortal body
- Leads children to God

Adopts us to God's family Bears witness of sonship
Helps our infirmities Makes intercession for saints

There is no amount of work or good deeds a man can perform to atone for his sins and stay that way. Once we have confessed Christ, we are clothed in his righteousness. We are no longer the man we were before. We are new creatures. Old things have passed away. All things have become new. We are born again! We are delivered! Set free! No more condemnation.

To sustain the mind of Christ we must walk in the Spirit. The ways and habits that cause us to feel naked occur when we are walking in the flesh. The ways and habits which create our awareness of being clothed occur when we are walking in the Spirit.

"Walking in the Spirit" is a continuous steady-state of moving forward step by step toward the purpose and calling of God—falling down, getting back up again, relentlessly pursuing a God-ordained Kingdom destiny. Walking in the spirit is a way of life which seeks the pleasures of the Kingdom of God. Conversely, "walking in the flesh" is a continuous steady-state of moving forward step by step toward the lust of the flesh, the lust of the eyes and the pride of life—falling down, getting back up again, relentlessly pursuing carnal cravings which ultimately lead to destruction. Walking in the flesh is also a way of life but with a different motive. It is a lifestyle which seeks the pleasures of the world. If we walk in the Spirit we are inclined toward the things of the Spirit. If we walk in the flesh we are more inclined toward the things of the flesh. Walk in the spirit and you shall not fulfill the lust of the flesh.

Walking in the Spirit

- Mind things of the Spirit
- Spiritually minded
- Reconciled to God
- Submitted to God
- In the Spirit
- Belongs to Christ
- Dead to sin
- Spiritually alive
- Christ led life
- Spirit-filled
- Debt-free flesh
- Righteous Life
- Spirit is helper
- Eternal life

Walking in the Flesh

- Mind things of the flesh
- Carnally minded
- Enmity with God
- Not subject to God
- In the Flesh
- None of His
- Alive to sin
- Spiritually dead
- No Christ
- Carnal
- Debtor to the flesh
- Sinful life
- Self is helper—no help
- Death

Walking in the Spirit is a steady-state of moving forward step by step toward the purpose and calling of God; falling down, getting back up again; relentlessly pursuing a God-ordained destiny. Jesus said, "...if any man will come after me, let him deny himself, and take up his cross daily, and follow me. (Luke 9:23) Walking involves submitting our will to the Lordship of Christ and accepting the challenge of sufferings associated with our spiritual growth and development on a day to day basis for the purpose of following Christ.

To fulfill God's calling on our lives, our walk must not only be daily but must also be diligent. Daily means occurring each day. Diligently is defined as constant in effort to accomplish something. Diligent also indicates attentive and persistent in doing. Walking in the Spirit is a step by step process. In other

words, there are steps which should be taken daily, consistently and constantly in an effort to live a spirit-filled virtuous life. The steps of overcoming the stronghold of condemnation for a clothed man are:

- Step 1: Daily quiet time
- Step 2: Prayer and Fasting
- Step 3: Daily feeding on the Word of God
- Step 4: Wholesome relationships with family and friends
- Step 5: Accountability to others

Daily Quiet Time

Everyday a man should begin his day spending time with God. We should all have a designated place in our house consecrated as the place where we meet God for worship and meditation. Spending time with God in the morning is powerful. It is an indication to him of just how much we honor and acknowledge his sovereignty over our lives. Worshipping God in our consecrated place assures a daily encounter with the Creator of the ends of the earth. Being in His presence early in the morning invokes the powers of heaven to invade our earthly space. It engulfs our atmosphere and is with us wherever we go for the rest of the day.

During our quiet time God speaks. As we worship we must be careful to take time to be still. Take time to be quiet and to listen. The time devoted to worship and prayer should be governed by the Holy Spirit. We should wake up early enough to be at ease and not have the stress of a time constraint. Our posture should be governed by the move of the Holy Spirit. Bow as the Spirit moves. Lay prostrate as the Spirit moves.

Stand and lift holy hands as the Spirit moves. As the Spirit leads, from time to time, offer your body to the Lord to be used for his glory and as living proof of his exceeding great and precious promises. Here is the "Offer Your Body" prayer given to me from the Lord.

Offering Your Body

Lift your hands look up and say: Heavenly Father, I offer my body to you, as a living sacrifice, holy and pleasing to you, which is my spiritual act of worship. I will not be conformed any longer to the patterns of this world. I will be transformed by the renewing of my mind; that I may be living proof of what your will is; your good, pleasing and perfect will. (Rom. 12:1-2)

Lay your hands on your head and say: I commit my mind to you. I have the mind of Christ. Wisdom, sound judgment, good discretion, common sense, supernatural knowledge, intellect, ideas and witty inventions are mine in Jesus name.

Lay one hand over each eye and say: I commit these eyes to you, that all I see will be filtered through the eyes of the Holy Spirit. I will not stare after any woman or anything in lust or covetousness which leads to transgression. My vision for my family, my ministry and my future are ordered of the Lord.

Lay your hands on your ears and say: I commit these ears to you dear God; that I will hear your voice clearly and distinctly above any other voice, any noise or distractions. I will hear what God the Lord will speak, for he will speak peace unto his people and to his saints and I will not return again to folly. I am an anointed listener and discerner in Jesus name.

Touch with the tips of your fingers your lips, tongue and vocal cords and say: I commit these lips, this tongue and these vocal cords to you; that everything I say will be ordered of the Holy Spirit. The Spirit of the Lord speaks through me, and his words are in my tongue. The Word of God is nigh me, in my mouth and in my heart.

Lay your hands on your heart and say: I commit my heart to you, that it will be filled with your personality and character of love, joy, peace, patience, kindness, gentleness, faithfulness, goodness and self-control against these there is no limit;

Lay your hands on your stomach and say: Out of my belly shall flow rivers of living water;

Lay your hands on your heart and say: Out of the abundance of my heart, my mouth will speak;

Keeping your hands on your heart, lay your head back and say: I open my mouth wide that you might fill it;

Stretch your arms wide as though forming a dam and say: My left hand is in the sea; my right hand is in the rivers; that the lands (marriage, family, congregation, ministry, etc.) which the Lord my God gives me shall be overflowing with goodness and abundance; and

Stretch your hands to heaven and say: I commit these hands to you, that you would bless all the works of these hands and all that they set themselves unto; and that whatsoever they do shall prosper....

Since your hands are freshly blessed of God, touch and or lay your hands over every body part: your head, face, eyes, ears, mouth, neck, chest, heart, lungs and internal organs, groin and loins, legs, feet, shoulders, upper and lower arms and your hands. Say a prayer over each part as you touch and move from one to the next.

Conclude with: From the top of my head to the soles of my feet; I offer you my life; that I may be filled with all the fullness of God; unto the fullness of the measure and stature of Christ; that as you are, so am I in this world. Let my life be undeniable evidence of your exceeding great and precious promises. I give you all the praise—IN JESUS NAME—AMEN!!!!

Prayer and Fasting

A clothed man should pray one time a day—all day long. However, he should start his day in fervent prayer to the Father. A most significant part of our quiet time with God includes expressing words of thanksgiving, supplication and intercession to him in prayer. It is amazing to even meditate on the fact of having the blessed privilege to talk to the Most High God—the Creator of the ends of the earth at the beginning of each day and throughout the day as often as we choose. No matter where we are or when we call on him he is always there.

Our prayers should be inclusive of matters of global and national significance; matters pertaining to federal, state and local significance; matters pertaining to our community, neighbors and friends; matters related to the Body of Christ and our local church and matters concerning our household and family—spiritually, physically, financially and relationally;

and our own personal petitions and confessions. However, if we were to attempt to cover all areas every morning it would take hours. Our prayers would also become so structured and monotonous, it would do well for us to simply record it and play it back to God every day. Our prayers to God should be as a loving son talking to a loving Father. It should be an authentic heartfelt conversation between Father and son. He knows everything, but he does not want to have the same conversation every time you come together.

The power of prayer is magnified when it is accompanied by a lifestyle of fasting. The combination of prayer and fasting invokes a greater level of spiritual awareness, power and sensitivity to the guidance of the Holy Spirit. There are some issues in life that cannot be conquered with just prayer alone. When the Jesus was in the mount during the Transfiguration, he returned to discover a crowd frustrated with his disciples because they could not cast out a demon from a young lad. They were frustrated because they knew these were Jesus' disciples and they knew they had done this before on other occasions. The disciples were also discombobulated and frustrated. Jesus intervened and cast out the demon from the boy. Afterwards, the disciples wanted to know why they could not cast the demon out. Jesus replied, "...this kind goeth not out but by prayer and fasting." (Matthew 17:24)

For a clothed man to sustain his spiritual peak, he must establish a lifestyle of fasting where throughout the year there are periods of time when he brings his body under submission through the sacrifice of giving up certain things which his carnal nature craves in order that his spiritual nature would increase in dominance. Fasting is answering the command to mortify

our members—to subjugate our body and its passions to the glory of God. It is a spiritual discipline which elevates our supernatural being.

Before a vow is made to fast, prayerfully consider when to fast, what to fast and how long the commitment should be. Fasting should be sacrificial. The degree of sacrifice varies from one believer to another. The question I always ask myself before committing to a fast is, "How bad do you want to hear from God?"

Feeding on the Word of God

Feeding on the word of God is essential to overcoming the stronghold of condemnation. The enemy is relentless in his buffeting strategies to cripple men with the nakedness mentality. He will never stop his deceptive ways to convince us that what God has planned for us will not fulfill us as men and that his plan is better. His attempts on Christ in the wilderness failed because Jesus was at his spiritual peak after forty days of fasting and prayer, and because he countered all the proposals of Satan with the word of God.

As clothed men we must establish a way of life where we are consistent in feeding our spirit-man on God's word. When a man relies solely on sermons on Sunday mornings, Wednesday night bible study, and occasional television broadcasts, he does not receive the spiritual nourishment essential to maximizing his virtue. Clothed men need to feed on the word every day. Daily bible reading changed my life. It is an absolute necessity to overcome the stronghold of condemnation. However, daily bible reading alone is not enough. Men should be engaged

in small group bible study as a part of his ongoing efforts for spiritual growth and development. There is so much more to learn of God and his purpose for our lives that cannot be achieved outside of small group bible study using inductive methodologies.

The bible has exceedingly, great and precious promises decreed to the man who commits his life to feeding on the word of God. Two of my favorites are:

Joshua 1:7-8 Only be thou strong and very courageous, that thou mayest observe and do according to all the law, which Moses my servant commanded thee: turn not from the right hand or to the left, that thou mayest prosper whithersoever thou goest. This book of the law shall not depart out of thy mouth; but thou shalt meditate therein day and night, that thou mayest observe to do according to all that is written therein: for then thou shalt make thy way prosperous, and then thou shalt have good success.

Psalm 1:1-3 Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, or sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in his law doth he meditate day and night. And he shall be like a tree planted by the rivers of water that bringeth forth his fruit in his season; his leaf shall not wither; and whatsoever he doeth shall prosper.

Sustaining Wholesome Relationships

A clothed man's family is one of his greatest sources of conquest over condemnation. A single man in strong and

wholesome relationship with his mother, father, brothers and sisters is not easily brought into condemnation. A married man who takes serious his commitment to holy matrimony and being faithful to his wife is not easily brought into condemnation. A father who is faithful to supporting, sustaining, nurturing and protecting his children is not easily brought into condemnation.

We are stronger when we work to sustain robust relationships with our family. Conversely, we are vulnerable when there are existing and ongoing issues which have broken the love and fellowship of family members. When a clothed man has unresolved dissension with his mother, father, brothers, sisters, wife and children no matter how hard he tries he cannot help but feel naked. Reconciliation should be the top priority of the man who seeks to overcome condemnation when all the other areas previously mentioned are in order. Initiating faithful efforts to reconcile broken relationships within the family structure brings healing and restoration in the spirit of a man, even if it takes a long time to accomplish, even if the other family member never relents.

Accountability

A clothed man must have relationships outside of the family structure if he is to sustain victory in overcoming condemnation and walking in the Spirit. As the song says, "No man is an island; No man stands alone. Each man's joy is joy to me; Each man's grief is my own. We need one another; so I will defend, each man as my brother, each man as my friend."

Like Jesus, a clothed man should have an inner circle of men that he can trust and be vulnerable to. There are too many things

that men carry on the inside of them that must come out in ways other than talking to God about them. Much of our suffering with the naked mentality is a result of the many secrets and struggles we keep to ourselves with no credible outlet. Having biological brothers are great, but not always accessible. In some cases, they are not on the same spiritual level or even of the same denomination. Though a brother is born for adversity, a man needs a friend who is closer than a brother—closer in accessibility and closer in spiritual development to share things with, to hold him accountable.

Using the bible as a model, a man should have two to three friends who can be relied on who are accessible and approachable to share with one another the issues of life. As iron sharpens iron, so a man sharpens the countenance of his friend. (Proverbs 27:17) Clothed men should be able to talk to one another about everything without being judged, condemned and in the strictest of confidence. There should be an understanding among them of the commitment to meet face to face either on a scheduled basis or upon request or both. All involved in the inner circle should be confident that the ultimate desire of each man is to please God in every area of his life and to be a faithful family man. Each must be devoted to the motto: "To hold each other up, we must hold each other accountable."

God is the greatest example of accountability for clothed men to follow. He gave us his written Word: commandments, precepts, statutes, ordinances, doctrine, promises and covenant. He expects his children to hold him accountable to his word as much as he expects his children to be accountable to his word. Accountability is modeled in the Holy Trinity. God the Father

is accountable to God the Son. God the Son is accountable to God the Father. God the Son is accountable to God the Holy Spirit. God the Holy Spirit is accountable to God the Son. God the Father is accountable to God the Holy Spirit and God the Holy Spirit is accountable to God the Father. Each component of the Triune God holds the other accountable to his role in the will of God and to the Word of God. If one fails to hold the other accountable, heaven and earth would pass away.

As such, when clothed men have a core circle of friends to hold each other accountable, we are most apt to fulfill God's plan for our life. Accountability will lead to a testimony of that group of men which says, "These are the men who turned the whole world upside down. (Acts 17:6) Accountability is the greatest ingredient to greatness.

The five steps of walking in the Spirit work together to build and sustain momentum for moving in the divinely ordained destiny which God has ordered for us before the foundation of the world. If the heart of a cloth man is steadfast and fully committed in abiding in the support of our Helper, the Holy Spirit, we will experience the exceeding great and precious promises of a spirit-filled virtuous life. "*For the eyes of Lord move to and fro throughout the earth, that he may strongly support those whose heart is completely his.*" (2 Chronicles 16:9)

Chapter 12

A Spirit-filled Virtuous Life

II Peter 1:2-5 Grace and peace be multiplied unto you through the knowledge of God, and of Jesus our Lord, According as his divine power hath given unto us all things that pertain unto life and godliness, through the knowledge of him that hath called us to glory and virtue; Whereby are given unto us exceeding great and precious promises: that by these ye might be partakers of the divine nature, having escaped the corruption that is in the world through lust. And by all this, add to your faith virtue; (KJV)

It is God's desire that as clothed men, we are filled with all the fullness of God, unto the fullness of the measure and stature of Christ (Galatians 4:13). Consistently exercising the disciplines of a clothed man sustains us at our spiritual peak.

According to *II Peter 1:2-3*, God has given us all things that pertain to life and godliness. Through the knowledge of him that hath called us to glory and virtue. A spirit-filled life is a life manifesting God's glory and virtue. The lifestyle of a clothed man is one that in all roles, relationships and responsibilities reveals compelling evidence that he is a son of God. In other

words, people can look at his life and see that all the promises of God are true because he is living proof.

Called to Glory

The glory of God in clothed men is the expressions of the attributes of God. We are the physical expression of what God is like in the earth. (As he is, so are we in this world. 1 John 4:17). The attributes of God are manifested in his children. The attributes of Christ are manifested through His Body through spiritual gifts. The personality and character of God are also manifested in his children, first in Jesus and now in us—his brothers and sisters. Those traits can best be described as the fruit of the Spirit: love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control.

The definitions of glory in the Greek include: very apparent, dignity, honor, praise, and worship. It also means apprehended to be the expressions of the attributes of God. Because we are the expressions of the attributes of God, as clothed men, we should strive in spiritual beauty, a strong mind, in health, wellness fitness, grooming and clothing to be as fit an expression for him as we can be. It should not take a long time to determine whether the glory of God is in a man. His worship and praise should cause instant recognition. The honor and dignity he resonates should give him away. It should be very apparent that he is not like other men and that he has distinguished himself as a son of God. We have been apprehended to be the expressions of the attributes of God.

Called to Virtue

Virtue is defined as moral excellence; goodness; righteousness; conformity to one's life and conduct to moral and ethical principles; effective force; power; potency; the traits or order of angels. (Webster)

According to The New Strong's Exhaustive Concordance of the Bible, virtue in the Greek translation is defined as miraculous power, force, ability and abundance; mighty deed; worker of miracles; strength, violence, mighty (wonderful) work. In other context of scripture virtue is defined as volition; will; purpose; advise; and counsel.

In the Hebrew translation virtue is defined as a force whether of men, means or other resources (an army, virtue, valor, strength); able activity, army, band of men, company, (great) forces, goods, host, might, power, riches, strength, strong substance, train, valiant, valor, war and worthy.

These three references which define virtue can be summarized as the physical and spiritual resources essential to living victoriously, in all things that pertain to life and godliness. Though we are filled by receiving the Holy Spirit, the very activities associated with fulfilling our many manhood obligations at home, in the marketplace, and in the community of faith are dependent on appropriations of this divine nature. Virtue is the divine order that energizes and gives meaning, purpose, stamina and focus to our existence as men.

I have often asked myself, "What is this internal influence, this driving force on the inside that keeps us going when going doesn't make sense?" When we give and give as husbands and fathers, papaws and uncles, followers and leaders, how is it that we still have enough to keep going even in seemingly insurmountable environments. It is because of the power of virtue.

Smith Wigglesworth says, "Virtue is that something which propels us into the Kingdom of God—out of the natural order, into a divine order with divine power for promotion charged by the power of God by another greater than us, a divine order". Sometimes even in the course of serving and empowering others, we become overly reliant on the natural order of things. We begin to put our faith in methods, traditions, procedures, politics, systems and past successes. These are the behaviors of a naked man. The Kingdom of God is not confined to the natural order of things. Virtue is an awareness of the Kingdom of God and all its resources which keeps us operating above and beyond the natural order.

It is virtue that compels us to conduct ourselves in all human affairs according to the will of God (Phil. 2:13) It is virtue that causes us to perform in supernatural ways. Consequently, expending and exerting ourselves into the lives of others depletes virtue. Jesus walked in this divine power in his earthly ministry. In Acts 1:8, the disciples came into it. After receiving Christ, we are in it, and into it. You cannot get rid of it once it is in you—this divine power. (Smith Wigglesworth paraphrased)

Mark 5:30 And Jesus, immediately knowing in himself that virtue had gone out of him, turned him about in the press, and said, Who touched my clothes? (KJV)

Luke 6:19 And the whole multitude sought to touch him: for there went virtue out of him, and healed them all. (KJV)

Luke 8:46 And Jesus said, Somebody hath touched me: for I perceive that virtue is gone out of me. (KJV)

There are several accounts in scripture that describe the power of Jesus in his earthly ministry using the word virtue. Remember the woman with the issue of blood who decreed, "If I could just touch the hem of his garment, I shall be made whole." When she pressed her way through the crowd and touched his hem, Jesus said, "Who touched my clothes?" Because he felt virtue go out of him. While on earth Jesus was fully God, but he was also fully man.

In his divine carnal state, as he went about interacting each day with people—teaching the disciples, healing the sick, raising the dead, and debating the scribes and Pharisees, virtue was going out of him. Even so, he never allowed his virtue fuel tank to reach empty. He replenished his virtue on an ongoing basis, giving glory to God for all his miracles and mighty acts, stealing away from the crowds to spend personal one-on-one time with the Father and going to the synagogue to worship and receive the word.

In our divinely clothed but carnal state, we too are partakers of this divine nature. (II Peter 1:4). As we interact with people, performing the activities of our purpose and calling, virtue goes

out of us. Being a good husband depletes virtue. Fathering depletes virtue. Ministry depletes virtue. Fighting temptation and condemnation depletes virtue. Like Jesus, we should never allow our virtue fuel tank to reach empty. We should replenish our virtue through the steps of walking in the Spirit: daily quiet time; prayer and fasting; feeding on the word of God; wholesome relationships with family and friends, and accountability to others.

These are the spiritual disciplines that give us the confidence to declare; *Now unto him who is able to do exceeding abundantly above all we can ask or think according to the power (virtue) that works in us.* (Ephesians 3:20) Adam lost dominion, authority and power in the Garden of Eden through sin. By virtue of the blood of Jesus Christ dominion, authority and power has been restored. We have the measure of faith that has caused us to be redeemed from condemnation, but to live the spirit-filled victorious life, we must add to our faith, virtue (2 Peter 1:5)

Called to Faith

"... we must add to our faith, virtue." 2 Peter 1:5

Imagine two men going on a journey on a long winding road, occasionally hilly, occasional valleys. On a certain very long straight stretch, they could see for miles. Ahead, they could see a vast lake reflecting the sun, surrounded by lush green forests, covered mountains all around.

One of them considers all they have been through along the journey. He concludes the lake is too great an obstacle and decides to turn back. The other man concludes he has

made it this far, he cannot turn around. So he continues the journey. After several miles, the straight road begins a descent which could not be seen from a distance. The brightness of the sun has yielded to evening revealing the lakeshore. From the peak of the declining road downward, there appears a bridge stretching all the way across to the other side.

Faith is the substance of things hoped for, the evidence of things not seen. We have heard it most of our spiritual lives. To live the spirit-filled virtuous life demands a walk of faith. We have got to believe that God can make a way out of no way. Our confidence in and toward our destiny cannot be based on only that which we can see. The man who pressed on tried to encourage his companion with the old spiritual songs: "Step by step, we'll make the journey even though our way seems hard. Step by step, we'll make the journey, but we must put our trust in God. As he pressed on alone toward the lush green forests, he encouraged himself with the old spiritual hymn, "We've Come This Far By Faith", the lyrics are:

"We've come this far by faith; leaning on the Lord. Trusting in his holy word, he's never failed my yet. Oh, oh, oh, can't turn around; we've come this far by faith."

Faith and virtue sustains our victory over condemnation and deprivation. When we are full of faith and virtue, we walk consistently in the glory of God. Condemnation has no root in the life of a man whose faith is strong, whose virtue is replenished day by day; the man who manifests the glory of God in all challenges and in his interactions with others. It is impossible that a man would hope in God that the purposes, and promises of God be fulfilled in his life, diligently pray and

seek after them, and the purpose and promises fail to come into fruition.

A man cannot walk in a state of deprivation when he is full of faith and virtue. He knows that "the promises of God in him are yea, and in him, Amen unto the glory of God by us!" (II Corinthians 1:20). He knows emphatically that God is his source and that nothing that he needs will be denied of the Father. When our virtue is consistently low, we beg and plead to our Father for what we need. When our virtue is full we come before him boldly and confidently with our petitions.

A deprived man sits at the door of his Father's house begging to come in to enjoy his presence and the bounty of his household, when he has the key in his hand and knows the security code. A man of virtue, a clothed man, boldly and confidently enters in, knowing that all that the Father has belongs to him.

Faith, glory and virtue are the present tense of divine power which causes us to act and talk as if the things that we believe God for has already occurred. As a clothed man, it is acting and speaking in divine authority as sons of God. (Romans 8:19) Our words and our conversation are the greatest evidence of our faith, evidence of things hoped for but yet unseen.

One of the greatest pictures of the spirit-filled life can be seen in examining Job 29 in reverse. In this chapter, Job is reminiscing on what his life was like before the series of calamities which led to his current state as he talked with his three friends. He was speaking in past tense and how he expected his life to conclude if he had continued on that path. This paraphrased version from the Message Bible places this chapter in present

and future tense, and is God's intent for the life testimony of a clothed man. Taste and see.

God is On My Side

A Present Tense Paraphrase of Job 29 (MB). The biographical sketch of the life of a clothed man:

I am having the time of my life!
 God is taking such good care of me.
 He always holds a lamp before me
 As I walk through the dark by its light.
 Oh, how I love these golden years
 As God's friendship graces my home;
 The Mighty One is still by my side
 And my children are all around me.
 Everything is going my way,
 And nothing is too difficult.

When I walk downtown
 And sit with my friends in the public square,
 Young and old greet me with respect;
 I am honored by everyone in town.
 When I speak everyone listens;
 They hang on my every word.
 People who know me speak well of me.
 I am known for helping people in trouble,
 And standing up for those who are down on their luck.
 The dying bless me
 And the bereaved are cheered by my visits.

All my dealings with people are good.
 I am known for being fair to everyone I meet.
 I am eyes to the blind;
 And feet to the lame,
 Father to the needy,
 And champion of abused aliens.
 I grab street thieves by the scruff of the neck
 And make them give back what they've stolen.

I will die peacefully in my own bed,
 Grateful for a long and full life,
 A life deep-rooted and well watered.
 A life limber and dew-fresh
 My soul suffused with glory
 And my body robust until the day I die.
 Men and Women listen when I speak.
 They hang expectantly on my every word.
 After I speak they are quiet,
 Taking it all in.
 They welcome my counsel like spring rain,
 Drinking it all in.
 When I smile at them they could hardly believe it.
 Their faces light up, their troubles take wings!

I am their leader, establishing the mood
 And setting the pace by which they live.
 Where I lead, they follow.

Chapter 13

We Have Overcome the Stronghold of Condemnation

"There is therefore now no condemnation to those who are in Christ Jesus, who do not walk according to the flesh, but according to the Spirit. Romans 8:1

"For whatsoever is born of God overcometh the world: and this is the victory that overcometh the world, even our faith, who is he that overcometh the world, but he that believeth that Jesus Christ is the Son of God." II Timothy 5:4-5

"In this world ye shall have tribulation: but be of good cheer; I have overcome the world" John 16:33

In spite of The Cross—and everything we know about The Blood of Jesus, we have been treating sin as an incurable disease. Condemnation constantly renews this mindset. Jesus came to cure the world from its sin condition. He accomplished what he came here to do! "It is finished!!!"

Jesus overcame all the world's devices, including the enemies' buffeting. He overcame each difficulty and each

temptation as each presented itself. The powers of evil were strained to their utmost to discourage, distract and defeat him. They failed.

Jesus overcame and conquered for our sake, not for his own sake. On the outside, based on what he was going through and from what everyone could see, he was conquered—even in the minds of his followers who fled.

So as he came to show us God the Father, he also had to show us God the Son, unconquered, unharmed, and untouched by evil and its power. His resurrected body was and is the evidence of his victory over all of earth's fury.

We too share in the experience of his tribulations. Christ's overcoming gives us courage and hope that we too shall overcome. In his conquering power we walk victorious and unharmed even today.

"There is therefore now no condemnation to those who are in Christ Jesus, who do not walk according to the flesh, but according to the Spirit. 2 For the law of the Spirit of life in Christ Jesus has made me free from the law of sin and death. For what the law could not do in that it was weak through the flesh, God did by sending His own Son in the likeness of sinful flesh, on account of sin: He condemned sin in the flesh, that the righteous requirement of the law might be fulfilled in us who do not walk according to the flesh but according to the Spirit. For those who live according to the flesh set their minds on the things of the flesh, but those who live according to the Spirit, the things of the Spirit. 6 For to be carnally minded is death, but to be spiritually minded is life and peace." Romans 8:1-6 (NKJV)

Victory Over Condemnation

"And I heard a loud voice saying in heaven, 'Now is come salvation, and strength, and the Kingdom of God, and the power of His Christ: for the accuser of the brethren is cast down, which accused them before God day and night. And they overcame him by the blood of the Lamb, and by the word of their testimony and they loved not their lives unto death.'" Revelation 12:10-11

When a clothed man overcomes condemnation, it brings the Kingdom of God into his entire household. John 4:46-54; Acts 11:13-14; Acts 16:30-31; Luke 19:1-10; "And this is the condemnation, that light has come into the world, and men loved darkness rather than light, because their deeds were evil. Everyone that doeth evil hated the light neither cometh to the light, lest his deeds be reproved. But he that doeth truth cometh to the light; that his deeds may be made manifest, that they are wrought in God." John 3:19-21

Rejecting Jesus after being enlightened of him is condemnation. It is a conscious choice to choose darkness over light. The naked love darkness, the works of the flesh, and the pleasures of sin more than the light. The clothed love the works of the Spirit and the pleasures of righteous and therefore walk in the light. Those who make a conscious choice for darkness hate the light out of fear that their sin will be exposed by the light. They fear the guilt. They fear the shame. They fear the punishment. These are all rooted in condemnation. They do not realize that without Christ—the Light—they are dead already. They are naked.

Those who practice the truth—clothed men—come to the light. They are driven by faith to walk in the Spirit. Those who make a conscious choice daily to walk in the light have a staunch determination to be living proof of the promises of God, and that all they do in works and deeds are wrought in God. They are compelling evidence of what it is to be filled with all the fullness of God. (Ephesians 4:13)

Naked, self-serving men are predominately deprived. Clothed men serving from the heart are predominately filled. A filled man is less distracted by temptations. A man fulfilled in marriage is not distracted by other women. A man fulfilled financially through the blessing of the Lord is not distracted by fraud, embezzlement and income tax evasion. A man filled with all the fullness of God is not distracted by what the world has to offer. "For whatsoever is born of God overcometh the world: and this is the victory that overcometh the world, even our faith. Who is he that overcometh the world, but he that believeth that Jesus Christ is the Son of God." II Timothy 5:4-5

Jesus overcame all of earth's efforts and all of the world's devices. He overcame every difficulty, every temptation. The principalities and powers threw everything they could and tried to the utmost to break him. They failed.

Jesus conquered for our sake, not his own. Even the road to Calvary was the manifestation of the extent he was willing to suffer for our victory over condemnation. He was wounded for our transgressions. He was bruised for our iniquities. The chastisement of our peace was upon him. And with his stripes we are healed, set free and delivered. Christ overcoming

grants us glory and virtue. As clothed men, we walk today as champions of the Most High God.

"There is therefore now no condemnation to them which are in Christ Jesus who walk not after the flesh, but after the Spirit." (Romans 8:1) If a man thinks he is condemned he will therefore act like he is condemned. The devil is a lie! We have the mind of Christ. When we think that what Adam did in Eden is greater than what Jesus did on Calvary; we persist in a state of deprivation. God said we are the righteousness of God in Christ Jesus. We are clothed in white raiment, washed in the blood of the Lamb, not "filthy rags".

Being transformed in the renewing of our mind is believing and walking in the truth of what God said in his Word about us:

- We are not condemned; we are redeemed!
- We are not deprived; we have all things that pertain to life and godliness!
- We are not sinners; we are the righteousness of God in Christ Jesus!
- We are not naked; we are clothed with Christ!

WHO TOLD YOU, THAT YOU WERE NAKED!!!

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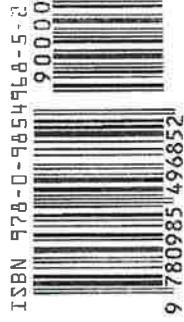
WHO TOLD YOU THAT YOU WERE NAKED?

This profound question, "Who told you that you were naked?", meant much more than, "Who told you that you do not have on clothes?" From God's perspective nakedness meant so much more. It meant condemnation and deprivation to His most precious creation — mankind. Though He reconciled Adam's condition by clothing him in coats of lambs' skin, Adam never got over what he had done.

Condemnation has dominated ever since. Now we have a more permanent solution. We have been clothed with Christ! Redeemed men who carry the curse of condemnation and deprivation cannot fulfill their purpose as husbands, fathers, community and business leaders — world changers! Adam never gave God a straight answer. It's time to answer that question.



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December 22, 2014

The Honorable Kasim Reed
Mayor of Atlanta
2nd Floor, Atlanta City Hall
55 Trinity Avenue
Atlanta, GA 30303-3520

Dear Mayor Reed:

The Anti-Defamation League is one of the nation's leading civil rights and human relations agencies. For over 101 years, the ADL has devoted itself to combating anti-Semitism and all forms of prejudice and to securing justice and fair treatment for all people.

The Anti-Defamation League writes to share our perspective with you on Atlanta Fire Chief Cochran's recent book and on the issues it raises. Unfortunately, the Chief published his book without City leaders being aware of its content. We have serious concerns that the attitudes expressed in the book condemn homosexuality and reject, with very strong pejorative language, any faith other than Chief Cochran's brand of evangelical Christianity.

The issues at hand are not about Chief Cochran's religious freedom or free speech rights, though these are undoubtedly the issues you have heard the most about. As an organization, ADL strongly supports the right to religious freedom and freedom of speech. We respect every person's right to freely observe their faith and to express their views, but any cogent analysis of this situation requires that you look beyond just these issues. The Chief is the leader of the City of Atlanta Fire Department and a representative of a demographically diverse workforce and City. As such, the attitudes he has expressed contradict the value commitment to employees of respect, fairness and inclusion, and ultimately erode trust with employees and citizens of the City of Atlanta.

As the leader of the City of Atlanta Fire Department, the Chief must be a role model and representative of the City's nondiscrimination policy. The statements of personal belief contained in the book blatantly contradict that policy. With higher levels of authority and leadership, there are definite higher standards for behavior that must result in building trust and credibility. Top level organizational leaders must not indicate they favor one demographic group over another with their behavior and personal statements. This includes race, gender, sexual orientation, gender identity, religious and faith beliefs, and individuals who do not identify with any religion, as examples, all of which are specifically protected in the City's nondiscrimination policy.

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Southeast Region

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December 22, 2014
The Honorable Kasim Reed
Page 2 of 2

Due to the deep personal sentiments expressed in the book and the uncompromising nature in how he presented his beliefs and points of view, the Chief has irrevocably compromised his leadership position. It is difficult and unreasonable to believe the Chief can check his prejudices at the door and lead the City of Atlanta Fire Department without his decision-making, both overt and covert, being significantly influenced by these beliefs. This becomes even more evident when you review the Chief's post-suspension comments on the matter at hand.

If the Chief returns to his position, it is likely and understandable that City employees, both within and outside the City of Atlanta Fire Department, will not feel included and respected; and, particularly within the fire department, that they will have concerns and perceptions of a hostile work environment. They may also harbor fears of retaliation if they confront and express different viewpoints than those of the top person in the organizational position of power and authority. This is not only true for LGBT, non-Christian, and individuals who do not identify with any religion, but other Christian employees who do not adhere to the beliefs expressed by the Chief.

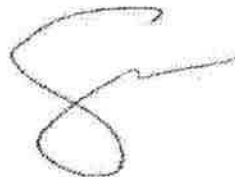
Finally, if the circumstance had to do with obvious expressions of racial or gender prejudice by an organizational leader, the situation would likely result in an immediate termination of that individual.

ADL is an organization that values inclusion and respect for all. We believe leaders must be role models in exemplifying these values. We encourage and support you in your continued investigation of this matter and believe the final resolution will be reflective of the highest standards of respect, fairness and inclusion of all employees and citizens of the City.

Sincerely,



Mark Moskowitz
Southeast Regional Director



Steven A. Pepper
Southeast Regional Board Chair

INVESTIGATIVE REPORT

Atlanta Fire Rescue Department – Chief Cochran Book Publication

City of Atlanta Law Department

January 9, 2015



INVESTIGATIVE REPORT

Atlanta Fire Rescue Department – Chief Cochran Book Publication

January 9, 2015

As requested, the Law Department conducted an investigation to determine (1) whether publication of the book *Who Told You That You Were Naked*, by Atlanta Fire Rescue Department Chief Kelvin Cochran had been authorized; (2) whether and to what extent the book had been distributed in the workplace; and, (3) if there was any indication that Chief Cochran allowed his beliefs, as expressed in the book, to influence his disciplinary decisions. The investigation involved in-person interviews with Commissioner of Human Resources, Yvonne Yancy, members of the Atlanta Fire Rescue Department's (AFRD) command staff, the City's Ethics Officer Nina Hickson, AFRD Public Information Officer Janet Ward, and union president Steven Borders.

I. Was Publication of the Book Authorized?

The Standards of Conduct provide a clear directive to “commissioners, deputy commissioners [and] department heads” to seek approval of the Board of Ethics before the department head “may engage in private employment or render services for private interests.”¹ No such approval was sought or rendered in the publication of the book that is available on Amazon.com for purchase.

At the outset of the investigation, Chief Cochran admitted that he did not inform Mayor Reed that he was publishing the book and did not have the Mayor's

¹ City of Atlanta Code of Ordinances Section 2-820 (d) Commissioners, deputy commissioners, department heads, chief operating officer, deputy chief operating officers, chief of staff, deputy chiefs of staff, bureau directors, and employees of the office of the mayor who report directly to the mayor shall not engage in any private employment or render any services for private interests for remuneration, regardless of whether such employment or service is compatible with or adverse to the proper discharge of the official duties of such employee. However, the employees named in this paragraph may engage in private employment or render services for private interests only upon obtaining prior written approval from the board of ethics in accordance with this paragraph. The board of ethics shall review each request individually and provide written approval or disapproval of the notification within 30 days. All requests for approval of outside employment shall state the type and place of employment, the hours of work, and the employer's name and address. City employment shall remain the first priority of the employee, and if at any time the outside employment interferes with city job requirements or performance, the official or employee shall be required to modify the conditions of the outside employment or terminate either the outside employment or the city employment. This paragraph shall not apply to single speaking engagements or to participation in conferences or on professional panels; provided, however, that any expense reimbursements received for such engagements must be reported in accordance with section 2-815.

INVESTIGATIVE REPORT

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January 9, 2015

permission. The only indication there was any mention of the book to anyone in the Mayor's Office is the Chief Operating Officer at the time of publication remembering that Chief Cochran had talked about writing a book on leadership.

Chief Cochran insists Ethics Officer Hickson authorized both the publication of the book and the reference in the book to his position as AFRD Chief. His recollection is that he first contacted Ms. Hickson to determine if it was permissible to publish the book and that he later asked if it was appropriate to identify himself in the book as AFRD Chief. Ms. Hickson indicated that she did not approve publication of the book and had no authority to grant such approval. She said she told him that he would need to get the Mayor's permission as well as a formal opinion from the Board of Ethics.

Contemporaneous notes from Ms. Hickson's log read as follows:

31 Oct 2012...T/C 10:34 a.m.....Advise regarding non-city-related book he is authoring...will check back w/ me in about 6 mos.

2:22 p.m.....9 July 2013...T/C Fire Chief Cochran...mentioning in book...advice-> Leadership Association...assoc...MLM...get a percentage of profit...told him to clear with Mayor...then get authority from Board of Ethics.

II. To What Extent Was the Book Distributed in the Workplace?

Chief Cochran stated that he provided the book to certain members of his command staff as a personal gift. He originally stated that he did not provide it to anyone who did not request a copy. The investigation disclosed that the book was distributed in the workplace to at least nine (9) individuals. Three (3) of these officers stated that the book was given to them without a request on their part.

Battalion Chief Stephen Hill stated he had been in a professional counseling one-on-one session with Chief Cochran regarding what he needed to do to prepare himself for appointment to Assistant Chief, the only sworn position over which Chief Cochran had sole appointing authority.

Chief Christopher Wessels stated the book was given to him unsolicited at a Chiefs' retreat, but there was no discussion about the book.

INVESTIGATIVE REPORT

Atlanta Fire Rescue Department – Chief Cochran Book Publication

January 9, 2015

Chief William Collier received an unsolicited book from Chief Cochran at a workshop conducted at the airport but there was no discussion of the book's content.

Chief Cochran acknowledged that he had given these three individuals unsolicited copies of the book.

III. Did the Expressed Beliefs Influence Disciplinary Decisions?

There is currently no indication that Chief Cochran allowed his religious beliefs to compromise his disciplinary decisions. While the fire chief has final authority over disciplinary decisions, the initiation of discipline occurs at lower management ranks for investigation by the Office of Professional Standards. Final recommendations on the level of discipline are made by a Disciplinary Review Panel consisting of chief officers that convenes to review cases sustained by OPS. This Panel then vets each case individually and recommends a level of discipline based on a preset grid that ensures consistency. The recommendation from the Panel must fall within the range set within the grid. Once the Panel forwards its recommendation to the fire chief, he then makes a decision to accept the recommendation, to reduce or to increase within the range or to refer back to the Panel for further review.

The consensus of the command staff witnesses interviewed is that Chief Cochran is more likely to adopt a level of discipline lower than what the Panel recommends. A review of the disciplinary recommendations presented to Chief Cochran from September 2012 through December 2014 shows that, of the 120 cases presented, Chief Cochran deviated from the recommendation of the Disciplinary Review Panel in three instances. In one case, Chief Cochran decreased a firefighter's discipline for a first occurrence failure to report accident infraction from the recommended written reprimand to no discipline. In two cases involving lieutenants, Chief Cochran upgraded discipline from the recommended Category B violation to Category C. In those two cases, the vote of the Disciplinary Review Panel had been split between Category B and C, and both employees held the rank of lieutenant, which Chief Cochran considered to warrant an enhanced level of accountability.

There was a consistent sentiment among the witnesses that firefighters throughout the organization are appalled by the sentiments expressed in the book.

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There also is general agreement the contents of the book have eroded trust and have compromised the ability of the chief to provide leadership in the future.

No interviewed witness could point to a specific instance in which any member of the organization has been treated unfairly by Chief Cochran on the basis of his religious beliefs.

Union president Borders was unable to offer any examples of maltreatment. He echoed the sentiment of distrust and disgust created by the contents of the book with the representation in the book that Chief Cochran is speaking in his capacity as AFRD Chief. He cited to an example wherein firefighters were disciplined for expressing support of *Chick-fil-A* CEO Dan Cathy's stance on homosexuality. In that case, during the height of the controversy, a squad of AFRD firefighters took a group picture showing them in uniform at one of Cathy's restaurants. One of the firefighters then posted the picture on Facebook expressing support for Cathy's religious beliefs and his opinion of homosexuality and gay marriage. When a citizen complained, Chief Cochran directed the captain of the squad to initiate an OPS complaint. The complaint was sustained for a work rule violation and the firefighters were given thirty day suspensions. Borders' opinion was that Chief Cochran should be held to the same standard.

Retired Battalion Chief Cindy Thompson, a lesbian, expressed her views publicly after the contents of the book became an issue, indicating that she had suspected Chief Cochran had such beliefs. She stated that she took a voluntary demotion because of these suspicions. Steven Borders stated that the employees who brought the issue to his attention did not feel comfortable coming forward, but he also indicated that there were no specific complaints of maltreatment. He also advised that the employees thought the "investigation" would not be a serious effort to get at the truth, but said that he was convinced in seeing what was being done that the investigation was legitimate. He was then asked to have any of these employees who wanted to share their concerns contact us. None of them ever did so.

Robin Shahar, LGBT advisor to Mayor Kasim Reed, provided us with the names of two individuals who contacted her. AFRD retiree Mary Pharr and AFRD Lt. Joette Castronova were both contacted for telephone interviews. Both stated that they were intensely offended by the viewpoints expressed in Chief Cochran's book, but neither provided any examples of having experienced Chief Cochran displaying the influence of any of these viewpoints in his professional capacity.

Transcription of Mayor Reed Discussing Atlanta Fire Chief Cochran on Fox 5 Atlanta (1/6/2015)

Mayor: Good afternoon. I wanted to brief you all today on my decision to separate from the Atlanta Fire and Rescue Department, Chief Kelvin Cochran. I have called this press conference because I want to make my position and the City of Atlanta's position crystal clear. Over the last 30 days, I have worked very hard to refrain from commenting because we had an active investigation going on into Chief Cochran's conduct as our Fire Chief. Unfortunately, he did not chose to pay me the same courtesy. What I want you to know is the City's position is a very clear one. The City's non-discrimination policy endorsed by my office and by the Atlanta City Council really unequivocally states that we will not negotiate – that we will not discriminate-- on the basis of race, nor gender, nor religion, nor creed, nor sexual orientation, nor physical ability, nor gender identity. And, that's been codified by our City Council and that has been the rule of the Executive Branch as well. And what we have said is that any person that violates this conduct or creates an environment where we believe that that is a concern, will not be a part of our administration. Said another way, we have a strong non-discrimination policy. I want to know or want you all to know that I appreciate Chief Cochran's service as Fire Chief and his personal religious beliefs are not the issue at all-- despite the number of comments and emails that I have been receiving on a daily basis. The City and my administration stand firmly in support of the right to religious freedom, freedom of speech and the right to freely observe one's face, faith. And, I also want Chief Cochran to know that I take no pleasure in making this decision. But, as the commanding officer of 750 employees within the Fire and Rescue Department, his judgment and ability to manage that department was the subject of this inquiry. And, I also want to point out to a lot of folks who have been calling my home, emailing me on a nonstop basis, that I too am a person of very deep religious faith. And, I would like to point out to some of those folks that 1 Corinthians 14 and 40 says "let all things be done decently and in order." And I want to make very clear in my judgment that was not done here. Chief Cochran's book, Who Told You You Were Naked was published in violation of the City's Standards of Conduct which require prior approval from the Ethics Officer and the Board of Ethics. Chief Cochran has acknowledged that he communicated on multiple occasions with the Chief Ethics Officer of the City of Atlanta. Those facts are not in dispute. Despite my respect for Chief Cochran's service, I believe his actions and decision making undermine his ability to manage our Fire Department. Every single employee under the Fire Chief's command, deserves a certainty that he or she is a valued member of the team and that fairness and respect guide employment decisions. His actions around the book and his statements during this investigation have eroded my confidence in his ability to convey that message. And, I want to make it clear that I thought that his decision to continue to speak out during the course of the investigation while we were not, was not the appropriate path and certainly contributed to the decision that I have made today. I also want to point out that if we had made the decision to retain Chief Cochran, uh really that the folks in the Fire and Rescue Department who may have been discriminated against in some future occasion would have had uh a valid case in my mind – and I know Kathy is getting nervous – but, after the Fire Chief so clearly stated his position on a number of issues, I thought that it created a potential liability for the City that was unacceptable to me as Mayor of the City of Atlanta. Now, I want to speak from my heart for a minute because this has really been troubling to me. This is about judgment. I hope everybody at home and everybody who reads about this is crystal clear. I don't think that anyone who works in a business could make a decision to write a



book that required them to contact the Ethics Officer in that business, have multiple conversations with the Ethics Officer and never talk to the leader of that organization, which is me. Not one time during the course of preparing this book did Chief Cochran ever think that it was appropriate to have a conversation with me despite the fact that I have made my opinion and this administration's opinion clear on this topic. So if anybody wants to know the most important factor that lead me to my decision – that is it. And everybody at home knows that you if you work in an organization, you check in with the person that signs your check. And that's me -- and that didn't happen here. And after that didn't happen, there was no contrition about it. No, I made a mistake. No, I messed up. No, I should have gotten the necessary approvals from the ethics officer in writing. And that did not happen. So let's stop trying to make this about religious freedom when it's about making sure that we have an environment in government for everyone, no matter who they love can come to work from 8:30 or 8:00 to 5:30 and do their job and then go home without fear of being discriminated against. That is what this is about. And, so the Chief has been talking for 30 days, in multiple forms, and so I'm here today to talk too. To the extent that he continues to talk, so am I. Because my faith in God does not take a back seat to anyone else's faith. And I deeply resent the emails and phone calls to my home, to my wife, during the holidays while I was spending time with my daughter – literally calling me an anti-Christ -- anti-Christ. And I don't mean one time or two times. So this is what Chief Cochran brought to my door. Because he made the judgment that he should write a book that con-- contains material that is clearly inflammatory and never ask me how I felt, felt about it. In his book, he says that the world would be a better place -- and I'm paraphrasing-- if Eve had gotten permission before she talked to the snake. This isn't just about the LGBT community. This is about how we treat one another. And so those folks who were calling me and telling me that I should retain him, I just want you to know one thing. His religious decisions are not the basis of the problem. His judgment is the basis of the problem. With that, today I would like to announce that Chief Joel Baker will serve as the interim Chief and will be allowed to compete to be the permanent Chief for the Atlanta Fire and Rescue Department. Going forward, the Fire Rescue Department command staff and all members of my cabinet will participate in sensitivity training offered by the well respected firm, Basic Diversity. Al Vivian is here. The same training will be rolled out to all managers this year. And with that, I'll take any questions you have.

Question from reporter: Can you tell us about the terms of separation – Chief Cochran's separation?

Mayor: You know what-- hold on – one thing you all know about me is that I'm going to answer your questions. I'm not rushing. Morris, the bottom line is, is that he was terminated and that happened within the last hour, so it is all too new to know what the details are. The bottom line is he met with our Human Resources commissioner, Yvonne Yancy. Um, there was some conversation had between both of them. We certainly would have given him the ability to resign because we do appreciate the service he provided to the City. I understand that the conversation was very respectful, but at the end of the day, he was given the opportunity to either resign or terminated. He chose not to resign and we terminated him – at my request.

Question from reporter: Obviously on a level here, this has become personal. How did you and your family move forward beyond these disparaging remarks? What would you say has been brought to your doorstep?

Mayor: Um, you know, I was really stunned. I was stunned about it. I was stunned because just the level of vitriol that was directed at me and my family uh because we made the decision to review this matter. We did exactly what any serious organization would do when confronted with uh this book, and, candidly, um folks in-- on my team know I like and respect Chief Cochran. And I think, and thought, that he added value to our team. And when folks in my administration have had challenges I've stood behind them. But, I will tell you, I did not appreciate during the course of the 30-day investigation, multiple statements being made while we were doing our best to respect his privacy and to provide him a fair hearing. But, every day when I have gotten to work during the course of this, I can't tell you how many emails that I have received every day -- and that's just fine -- it comes with uh the job. It does cross the line a bit when that comes into my home. And so I did not appreciate that but you know I want to be clear. The problem here is -- you know, everybody who is serious knows that if you were going to, if you were going to do something like this, you would speak to the leading decision maker in your organization. I suspect that's the case in all of the organizations that are represented here before you wrote a book that contained the contents of this book. Somebody else?

Question from reporter: I have another question if nobody else has one. Homeowners of Atlanta -- speak to them for a moment. They just lost one of the most highly recognized Fire Chiefs in the nation. Speak to them.

Mayor: Oh, sure. I mean what, I would say that no administration in the history of this office has invested more in the Atlanta Fire Department than I have. We have more firefighters than we have ever had before. We have the highest ISO rating in the history of the City of Atlanta. And we will continue to have that. And I have absolute confidence in Chief Baker and what our administration has shown time and time again is that this is about the team. And, we have a competent staff certainly in the Atlanta Fire and Rescue Department; and the Fire Department will run as well or better than it ever has.

Question from reporter: Mayor Reed, did you check with city council members when you were deciding whether or not to terminate Cochran over the last few days, over the last few weeks? Did you check with City Council members?

Mayor: I did, Jonathan. I talked to somewhere between 6 to 8 members of the Atlanta City Council and uh the opinion was uh pretty divided with the exception of Chairman Wan. Clearly, his opinion was that uh was that we should....

Jonathan: So there was some opposition to this among the City Council members. What did you say to them?

Mayor: You know, you know, I think opposition is too strong a word. Everybody knows, you know, that this is tough, but um I think that we are making the right judgment. I think that we need to send a clear message and I wanted to do that. And, I think everybody understood because what's not in question is that Chief Cochran never had a conversation with me. And that really does move people because everybody understands the hierarchy of our government. He is a member of my cabinet. He's not a middle level manager and he talks to me and interacts with me on a number of other matters. So, it's

not like he doesn't have direct access to me. He has access to me that all other members of the cabinet have.

Question from reporter: During the investigation did you discover that-- whether or not Cochran was releasing uh the book to employees while on the job?

Mayor: We are not going to discuss the investigation because Kathy has to tie up some loose ends, um but once she does, then we can have the appropriate conversations about making the information available to you.

Question from reporter: How long do you think, Mayor, it will take you to make a decision about the interim or permanency?

Mayor: I don't know. I feel terrific about Joel. He ran the Fire Department when I was-- first got elected Mayor and did a very good job. He was one of the three finalists before, so that's not an area where I have any unreadiness. Chief Baker certainly has my confidence.

Question from reporter: Mayor, what level of healing -- I've got that this requires some personal healing between you and Chief Cochran, but within the department itself, what level of healing do you think is required at this point and what will you do to that end?

Mayor: Well, one, I think that we have the right Chief in place. Um, we have a person who has worked his way up through the department, um who knows the women and men of our department and whatever is required of me, I will do. Because I certainly do understand uh that healing is required. And, and I want everyone who works in the Atlanta Fire and Rescue Department to feel that they are welcome and that they have an opportunity to go wherever their talents take them. And, I think uh that's the message that we are trying to send.

Question from reporter: Mayor Reed, this comes out of in the backdrop of an ongoing statewide debate over religious liberty, lawmakers uh there's already been a pre-filed bill related to religious liberty...uh can you talk about if you are going to be involved at all at the Capitol advocating either for or against that bill or if you are concerned by that being debated by lawmakers right now.

Mayor: I'm not concerned about it. You know, I spent 11 years at the Capitol. Legislators are going to have the debates that they are going to have. They would be debating this whether um Chief Cochran was terminated or not. I do think that uh that this termination may add something some intensity to the debate, but I think debate is healthy and um it doesn't give me any unreadiness. I don't plan on getting involved in the issue. What I think about every day is running the Atlanta city government and this has been a massive distraction from the operation of government.

Question from reporter: Have you heard at all from business leaders during your consideration of this?

Mayor: I have --

Question from reporter: They played a very an influential role during the last legislative session on the religious liberty bill did they reach out to you during this process at all?

Mayor: Um, not about the debate at the State Capitol, just about their feelings regarding the book that was published by Chief Cochran. But, I've really heard from the entire spectrum, to be fair. I've heard from business leaders. I've heard from a number of leaders in the faith community. And, once folks – I had a meeting with a leading member of the faith community this morning. But once folks hear both sides, which is why I am having this press conference, because for 30 days I've come to work and I've read email after email and had my home called about people who clearly don't know what they are talking about because this has nothing to do with his religious beliefs. It has everything to do with the decision to publish a book with the contents of this book without talking to your boss. Period. And, we have a genuine question around the liability that is created when a member of your cabinet with supervisory authority over 750 people has made his feelings about gays and lesbian people known. And bisexual and transgender people. And some pretty strong feelings as they relate to women. And, so I have a genuine concern as a lawyer about creating a prima facie case for discrimination claims against the City of Atlanta – which goes to judgment – because you are a commissioner who has a book on record. And, so if actions are taken against employees who may be gay, bisexual or transgender – if you've got a decent attorney, you're gonna have a pretty good shot at bringing a claim related to discrimination. And so, all of those are factors, but I said the most important factor.

Question from reporter: Mayor Reed, you mentioned the employees at the department. Some gay employees at the fire department have expressed concern about the book and whether they can be uh feel safe as possible in the Department. Is it time with this incident to a possibility of an LGBT liaison for the fire department like you have on the police department.

Mayor: Absolutely. I am open to any and all suggestions, but it was important that before we did anything that we conclude this investigation. And, put this chapter behind us so that we can have a new chapter going forward. That's why I wanted to make sure that we acted on today – and that this was brought to a close on the 30th day so that Chief Baker and his team can begin to one address the healing that was needed in the Atlanta Fire and Rescue Department and I cannot say enough about the advice that I have gotten through this entire process from Robin Shahar from day 1. From the moment that this became an issue, Mrs. Shahar has been invaluable and has been in every important meeting related to this matter. And, I think it shows how important it is to make sure that at critical times that the voices of the LGBT community are heard and at the table. And, I think you, Robin can speak for herself, but I think that she would share that that was the case here. I also think Councilmember Wan was essential in terms of bringing us to a-- an appropriate result as well.

Question from reporter: Mayor Reed, for clarity, did Chief Cochran go to the Ethics Officer? I understand you said he didn't talk to you but did he approach the ethics officer.

Mayor: Yes, he did. So Chief Cochran definitely contacted the ethics officer and they definitely have multiple conversations. The Ethics officer's position is that she did not grant him approval.

Question from reporter: And to piggyback on his question, in speaking to some in the fire department there is still, to use the term, “don’t ask don’t tell” culture, what concrete steps are you taking to address that?

Mayor: What I am going to do is listen to people that can make change. Of course, we are going to move forward with sensitivity training. Robin Shahar and Chief Baker are going to work in partnership with my support uh to make sure that we reform the department and make sure that folks feel absolutely safe. So, I am not going to – from the podium – make up a series of things to do, but what I am going to do is to listen to people who have unquestioned integrity around these issues. And, what we have tried to do is – when we have been faced with tough issues -- certainly related to the LGBTQ community – we have tried to respond in a thoughtful way; that is what we are going to do here.

Question from reporter: Mayor, you have a huge gathering here today. Is this-- did you want this represen-- Why is this representation so much?

Mayor: It’s important because basically I have uh my Cabinet with me today because um this was a heavy decision. I don’t want to say a hard one, but it’s tough. As I said, uh Chief Cochran definitely added value to our department and to this City. And these are the folks who work together every single day to run the City of Atlanta and um we really did not come to this conclusion easily; and this is um extremely unpleasant for me.

Question from reporter: Mayor, can I ask you something on a separate matter, Sir?

Mayor: Yes.

Question from reporter: Um, yesterday, Council President Caesar Mitchell asked Council to set aside uh 14 million dollars for the Atlanta Beltline for APS. Do you have thoughts on that sir?

Mayor: I think two things. I think number one that’s why we were broke when we got here. So, when I got here there was 7.4 million dollars in the bank. Today, when we just had an unqualified audit from KPMG and we will finish the fiscal year at 142 million in reserves. And, I don’t understand how in the middle of negotiations where we have been actively negotiating for months you come forward with a 13.8 million dollar proposal when there are multiple – several millions of dollars in dispute. He didn’t say we should resolve the 26 million. I just don’t know where it comes from. The Council President is the number two fiduciary in the City of Atlanta. And for the second time, he has taken public positions against the City of Atlanta. I don’t understand that. We have been working for months to bring this matter to close. So to come forward with a resolution that says “Hey, let’s just write 13.8 million out of reserves.” Right? When we were negotiating the acquisition of Morris Brown, he said let’s pay Morris Brown more – while he was on the board of Morris Brown. So, on both instances, the number two fiduciary for the City of Atlanta made a decision against the City’s financial interests alone. So, that’s why we were broke. And, I think those kinds of decisions are the kinds of decisions that took us to the brink of insolvency. So, if you look at where we were when I walked into this office, there was 7.4 million dollars in the bank for a 1.9 billion dollar organization. Today, there’s 142 million in reserves. We’re just getting back to financial health. And for whatever reasons, the Council President keeps out

of the blue – and we all know it's politics – putting forth proposals that go directly to the bottom line and harm the City of Atlanta. What interest of it was the City of Atlanta to pay Morris Brown College more money? What interest is it in the City of Atlanta to agree to write a check to the APS School Board when there is an open question about whether they have counted 26 million dollars that we gave them? So that's what I think. I think that they are incredible violations of his fiduciary duty. And, I'll say one other thing on this because I know you all are going to ask follow-up questions about the kids. I care about kids about as much as anybody in the City of Atlanta. Where was the Council President when the APS's accreditation was on the line? Go pull your file tape then. I know where I was. See, I was in that library over there negotiating a solution with people who were getting ready to take their accreditation. I was across the street at the Capitol moving a bill to remove people who were creating the dysfunction. Right? And then he writes this long soliloquy where he is talking about how he doesn't know why people haven't been able to decide. Well, I've got something for him. That's why he's not Mayor.

Question from reporter: Mayor can you--

Mayor: No, no, wait a minute– that's why he's not Mayor. You do know he ran for Mayor?

Question from reporter: Yes, sir.

Mayor: Right?

Question from reporter: Obviously, Chief Cochran is not going to stop stepping in front of cameras to talk about this issue. How do you put closure on this because clearly he has a bunch of folks who follow him, his thoughts and his opinions?

Mayor: You know what, I don't believe we're gonna – I'll follow him. But I'll tell you what I'm not going to do – the investigation is closed. So if Chief Cochran wants to have a debate with me about his faith and my faith – and if Chief Cochran wants to have an open conversation about all of the things that I did for him when he was Fire Chief, let's have it. You tell me where to be; I'll show up.

Question from reporter: Can you talk about the timing of the Caesar Mitchell proposal? I mean, we are heading for a referendum March 17th and you guys are going to be going out to the bond market, you want those reserves to be as healthy as possible. Can you talk about the timing of that proposal?

Mayor: I don't know – you would have to go talk to him, Jonathan. I've given you real clear guidance on where I stand. This is the bottom line. This is the bottom line. The proposal on infrastructure passed 12/0. It passed 12/0 because 83% of the people of Atlanta – it's their number 1 issue. Anybody who is in this town can go out and see that the roads, bridges, tunnels, traffic lights, needs to be fixed. And whatever political stunts they want to run, run them. Please challenge the referendum. You're going to lose. So I'm not worried about these political stunts. So the referendum passed 12/0. It's up for a vote in March. 83% of the people are in favor of it or strongly in favor of it. The bond markets and ratings agencies have responded favorably to the City's capacity to fund it. And, it's not a tax increase on anyone. So if you don't support it, you are going to be voting against fixing bridges and roads and traffic lights that you are not going to have to pay more taxes for because we don't pull political stunts like

offering to pay 13.8 million dollars to someone in the middle of a negotiation where you are the number two fiduciary in the City. Where do they do that at? Please tell me if the CEO of WABE were being threatened by litigation – right? – and the party that’s threatening to sue WABE, right, had said “I’m getting ready to sue you” and you stood up and said “Hey, I think we ought to settle. I think we ought to pay them whatever they want.” How long would you have your job? And so the voters are going to have the opportunity to answer that question.

Question from reporter: Mayor Reed--

Mayor: They answered that once and I got elected Mayor.