



CITY OF ATLANTA

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Atlanta Police Department
George N. Turner
Chief of Police

January 6, 2011

Ms. Joy Morrissey, Board Chair
Atlanta Citizen Review Board
City Hall Tower, Suite 9100
55 Trinity Avenue, SW
Atlanta, Georgia 30303

RE: Case #09-01/Alma George

Dear Ms. Morrissey:

I am in receipt of the Atlanta Citizen Review Board's letter dated December 10, 2010, recommending that the allegation Officer Carlos Figueroa unlawfully caused the death of Pierre George on December 18, 2008, be Exonerated.

The Atlanta Police Department's Office of Professional Standards has concluded from its investigation that Officer Figueroa be Exonerated for the use of deadly force against Mr. George. The Department's investigation and the Fulton County District Attorney's Office found the officer's actions reasonable and justified in this situation.

The Department also reviewed the findings of Elite Performance Auditing Consultants (*epac*) in the handling of the shooting investigation by the Homicide Unit. In reference to *epac*'s finding in regards to the Atlanta Police Department's policy on making felony stops (APD.SOP.4010, "Traffic," Section 4.5.2), per policy an officer stopping a vehicle with occupant(s) wanted in connection with a described felony will "pick a location for the stop, but will not attempt the stop until a backup unit arrives." The policy outlines the best practice for making a felony stop and Atlanta police officers are trained to perform this technique, along with variations involving non-compliant behavior during a felony stop. However, every possible scenario an officer might be confronted with cannot always be addressed during training. I will direct

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the Atlanta Police Training Academy to ensure that training lesson plans on felony stops include available reactive techniques based on the degree of the non-compliant offender's actions; however, it cannot be determined in hindsight that the use of deadly force by Officer Figueroa, or any number of other officers that could have been present, would still have not been necessary based on the totality of the circumstances. The questioning of Officer Figueroa on his not waiting on backup would have not fallen under the purview of the Homicide Unit's criminal investigation, but would have been addressed through the administrative investigation of the officer's procedural tactics.

Having assessed the findings of both the Atlanta Citizen Review Board and the Department's investigative summaries, I concur with the findings of the Atlanta Citizen Review Board and the Office of Professional Standards regarding the allegation of use of deadly force. Therefore, I accept the recommendation of the Board with some modifications.

Major E. B. Dancy, Commander of the Office of Professional Standards, can be contacted at (404) 658-7028, if you have any further concerns regarding this complaint.

Sincerely,



George N. Turner
Chief of Police

cc: Ms. Cristina Beamud, Executive Director/ACRB
Assistant Chief P.N. Andresen
Major E. B. Dancy
Major J. L. Glazier
Major K. Meadows
File