



Received by:

LG 24-16

CITY OF ATLANTA

ATLANTA POLICE DEPARTMENT
GEORGE N. TURNER
CHIEF

February 3, 2016

Mr. William Harrison
Atlanta Citizens Review Board
City Hall Tower, Suite 9100
55 Trinity Avenue, SW
Atlanta, Ga. 30303

RE: 13-70 Complaint of Sean Kornegay and Delzorah Wall

Dear Mr. Harrison:

I am in receipt of the Atlanta Citizens Review Board's letter dated January 6, 2016, which recommends that Officer David Bourne and Sergeant Neil Welch be exonerated of the allegation that they used excessive force against Mr. Ernest Barnett. In addition, the board recommends that the allegation of abusive language be sustained against Officer David Bourne and the allegation of abusive language be not sustained against Sergeant Neil Welch.

The Atlanta Police Department's Office of Professional Standards (OPS) has concluded its investigation into this incident. As a result, Officer David Bourne and Neil Welch were exonerated of the allegation Atlanta Police Department Work Rule 4.2.50 Unnecessary Force.

In regards to the allegation of abusive language, the Department is in disagreement with substantiating this allegation against Officer David Bourne due to the totality of the situation. Although, the Department's work rules reflect that employees will not use coarse, profane language while on duty, this appears to be a critical situation of life and death. The officer advised the suspect who was uncooperative and displayed a handgun within a public gathering by giving him the command to "Drop the motherfucking gun!" The officer did in fact use profane language, but in this case appeared to be reasonable, by giving the suspect a more authoritative command to drop the gun to force compliance. It should also be noted the officer only referred to the weapon and not the individual. The Office of Professional Standards has had dialogue with the Planning and

Research unit to review the policy as it pertains to situations of this nature and to determine if revisions are warranted.

Having assessed the Atlanta Citizens Review Board and the Department's investigative findings regarding this matter, I reject the findings of the Atlanta Citizens Review Board only in regards to the use of abusive language of Officer Bourne.

Major B.K. Martin, Commander of the Office of Professional Standards, can be contacted at (404) 546-5945, if you have any concerns regarding this complaint.

Sincerely,

A handwritten signature in blue ink, appearing to read "George N. Turner".

George N. Turner
Chief of Police

GNT/jw