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April 24, 2017

Chief Erika Shields
City of Atlanta Police Department
226 Peachtree Street, S.W.
Atlanta, Georgia 30303

RE: Complaint of Kenneth Downer, ACRB File #16-154

Dear Chief Shields:

Please be advised that the Atlanta Citizen Review Board (ACRB) has concluded its investigation and adjudication of the complaint filed by Kenneth Downer alleging that on October 26, 2016, while seated in the back of the patrol car with no seatbelt and en-route to the Zone 2 Precinct, he hit his forehead and the bridge of his nose on the mesh cage when Atlanta Police Officer Hunter Wiggins (Unique ID #6788) slammed on the brakes. Mr. Downer further alleged that Officers Wiggins and Anthony Appleberry (Unique ID #1946) failed to get him medical attention.

The Board determined the following:

1. A finding of **Not Sustained** was assigned to the **Appropriate Action Required** allegation against Officers Wiggins and Appleberry, as it relates to Mr. Downer's allegation that he hit his forehead and the bridge of his nose on the mesh cage when the officer slammed on the brakes.
2. A finding of **Unfounded** was assigned to the **Appropriate Action Required** allegation against Officers Wiggins and Appleberry, as it relates to Mr. Downer's claim that the officers failed to get him medical attention.
3. However, a finding of **Sustained** was assigned to the **Appropriate Action Required** allegation against Officers Wiggins and Appleberry, as it relates to Mr. Downer's allegation that he was placed in the patrol car without a seatbelt. The Board recommends that both officers receive an **Oral Admonishment as penalty**.
4. Lastly, the Board recommends that the APD ensures that officers are reminded that when transporting arrestees in their patrol cars that they ensure that a seat belt is placed on the individual.

The file is available for review upon request. The ordinance requires that the Chief respond in writing regarding which recommendations are accepted, rejected, or will be implemented with modifications within thirty (30) days of the submission of a recommendation for action by the Board to the Chief (see Sec. 2-2211(O) of the Ordinance 07-0-0141).

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee', written over a white background.

Board Chair

cc: Mayor Kasim Reed
Council President Ceasar Mitchell
Members of the Atlanta City Council
ACRB Members
Executive Director Lee Reid