



CITY OF PHILADELPHIA

POLICE DEPARTMENT
HEADQUARTERS, FRANKLIN SQUARE
PHILADELPHIA, PA 19106

CHARLES H. RAMSEY
Commissioner

May 6, 2009

Mr. Robert S. Nix, Esq.
Chairman
Police Advisor Commission
P.O. Box 147
Philadelphia, Pa. 19105-0147

Re: Grupo Fuego Opinion
Commission Complaint No. 061678-81 &
061684-90

Dear Chairman Nix,

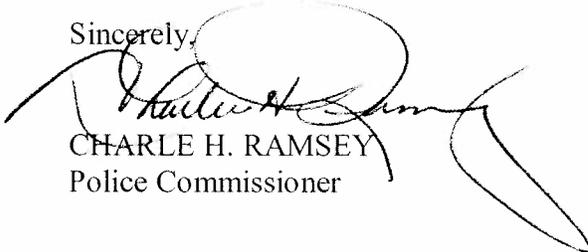
Thank you for forwarding a copy of the above referenced Opinion of the Advisory Commission. I have thoroughly reviewed both the Opinion and the Internal Affairs investigation into this matter.

Being an avid proponent for continuous training and the maintenance/upgrade of the skills sets of our personnel, I fully agree with the Commission's recommendations regarding "sensitivity" and Baton training – for the Officer's involved in this instance as well as all our Officers.

However, I cannot agree with the recommendation of 3 days suspension for Officer Swift. There is no substantive evidence to indicate that the Officer intentionally struck Mr. Neris in the head. In fact, the Internal Affairs investigation concludes, based on eyewitness accounts, that the strike was unintentional and that Mr. Neris' second wound to the back of his head was caused by hitting the sidewalk and not a baton.

Again, thank you for your valued input regarding this matter.

Sincerely,


CHARLES H. RAMSEY
Police Commissioner

cc: Everett Gillison, Deputy Mayor
Dr. Camille C. Barnett, Managing Director
Mr. William M. Johnson, Commission Executive Director

CHR:reh