

Bond Case Briefs

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EMPLOYMENT - GEORGIA

Mercure v. City of Atlanta

Court of Appeals of Georgia - July 3, 2014 - S.E.2d - 2014 WL 2975980

Police officer sought review of decision of city civil service board upholding unpaid suspension.

The Court of Appeals held that statute prohibiting law enforcement agencies from adopting regulations precluding a police officer from using legal degree of force to apprehend a suspect did not preclude police officer's suspension for use of neck restraint on suspect, despite argument that police department rule prohibiting police officers from using neck restraints not taught or approved by department conflicted with statute. Officer was not apprehending the suspect when officer administered the neck restraint maneuvers at issue but rather suspect was already under arrest, restrained, and not resisting in any way.