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State of North Carolina
General Court of Justice
Twenty-seven A Prosecutorial District
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GASTONIA, N.C. 28052
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November 5, 2018

Chief Robert Helton
Gastonia Police Department
Via Hand Delivery

Re: Shot fired by Officer Whisnant

Dear Chief,

I was asked by the SBI to come to McFarland/Gray Streets early on the morning after the shot was fired. At that time I was able to inspect the yard, the storm door; the metal covered rear door; the glass on the threshold and rear step; the drops of blood on the threshold and rear step and the general area where the interaction between Mr. Lynn and Officer Whisnant took place. I have since reviewed the body cam videos from the arrival of the first two police officers at the residence of Jarvis Lynn through the discharge of the firearm by Officer Whisnant through the initial interview of Ms. Brittany Lynn. I have also reviewed the interviews taken later of Ms. Lynn, Mr. Lynn, Officer Lutz, Officer Wood, Officer Payton, Pamela Cole, Sgt. Nelson, Officer Justice, paramedic Fine, firefighter Barnes, paramedic Owens and Officer Whisnant. Dash Cams video was also reviewed.

It is clear that Officer Whisnant called out to Mr. Lynn who then ran from the officer to the rear of the house and then into the house. Officer Whisnant pursued Mr. Lynn around the back of the house and saw him go in. Officer Whisnant had his gun drawn and was using a flashlight for illumination. Prior to Mr. Lynn entering the house he pauses at the door with his hands in the front of his pants and appears to be holding something. He refused officer commands to "show me your hands". At the time the shot was fired Mr. Lynn had entered the

house and the door had closed behind him. The only person still outside at the back was Officer Whisnant. It was an accidental discharge which appears to have happened as the officer was running and reaching for the storm door. The shot passed through the glass storm door and the metal over styrofoam back door. Ms. Lynn was inside the house when she was struck by the bullet. Ms. Lynn made multiple statements regarding where she was when struck by the bullet placing herself both inside and outside the house. The body cam and physical evidence shows clearly that she was inside the house. Should you have any additional questions please feel free to contact me.

Sincerely yours,


Locke Bell