



**Civilian Law Enforcement Review Board (CLERB)**  
**City of Memphis**  
Benjamin Hooks Central Library  
3030 Poplar Ave. HR-RM L42, Memphis, TN 38111  
(901) 576-6457

April 11, 2017

**CLERB Board Members**

Ralph White, Chairman

David Acey

Casey Bryant

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Carlissa Shaw

Corliss Shaw

Michael Rallings  
Director, City of Memphis Police Department  
201 Poplar Avenue  
Memphis, TN 38103

Re: ISB File # I 2013-089

Dear Director Rallings:

During the board meetings on October 13, 2016 and November 11, 2016, the Civilian Law Enforcement Review Board (CLERB) heard evidence from complainant Paul Garner. The evidence consisted of statements made under oath by Mr. Garner; video evidence provided by Mr. Garner, which recorded the subject incident; and the closed ISB file. CLERB had previously sent a letter to you, dated February 28, 2017, sustaining Mr. Garner's complaint against the officers of the Memphis Police Department, and recommending certain actions be taken by MPD in order to address the conduct of the officer(s) involved. The purpose of this letter is as an addendum to the previous letter CLERB sent regarding Mr. Garner's case.

**CLERB Findings**

**Personal Conduct: Sustained**

The evidence presented did sustain that the officer(s) violated Policies and Procedures of the Memphis Police Department.

**Recommended Action**

The board recommends that the Memphis Police Director hold classes or have the legal advisor for the Memphis Police Department give police officers instructions on citizens' constitutional rights with regard to filming police officers. In addition, the board recommends that Mr. Garner's case be reviewed by Internal Affairs to ensure adherence to the

following policies and procedures of the Memphis Police Department: DR 105 Adherence to Law; DR 107 Courtesy; DR 108 Truthfulness; DR 109 Impartial Attitude; DR 117 MPD Photo ID/Giving Name; DR 134 Intimidation;-, DR 135 Harassment; DR 141 Public Recordings; and DR 601 Completing Official Reports.

Pursuant to City of Memphis Ordinance No. 5620 (August 24, 2016), section 28-160, you have ten (10) days from your receipt of this letter to notify CLERB in writing of the actions you propose in response to these recommendations. Please copy Ms. Virginia Wilson, CLERB Administrator, on your response.

If you have any questions regarding CLERB's findings in this matter, please feel free to contact me.

Sincerely,



Ralph White, Board Chair  
Civilian Law Enforcement Review Board (CLERB)

Cc: Mr. Paul Garner

Ms. Virginia Wilson, CLERB Administrator