



JIM STRICKLAND
MAYOR

EXECUTIVE DIVISION
CIVILIAN LAW ENFORCEMENT REVIEW BOARD

April 11, 2017

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

Dear Director Rallings,

During the board meetings of the Civilian Law Enforcement Review Board (CLERB) from November 17, 2016 – March 9, 2017 the board voted to sustain the following cases. Please find attached recommendation letters from the board for each case:

- | | |
|-------------------------|----------------------|
| 1. Mr. Reginald Johnson | ISB file # I2016-003 |
| 2. Mr. Paul Garner | ISB file # I2013-089 |
| 3. Ms. Claudette Taylor | ISB file # I2012-090 |
| 4. Mr. James Bolden | ISB file # I080-11 |

Also attached is a copy of the original 2-28-2017 letter of the recommendations for Mr. Paul Garner's case. Please be advised that the original 4 letters will be delivered to you via hand delivery or USPS.

If you have any questions regarding this matter, feel free to contact me.

Sincerely,

Virginia Wilson
Civilian Law Enforcement Review Board (CLERB)

Total # of attachments including cover ---11



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

June Chinn-Jointer

Dwan Gillom

Floridia Jackson

Bruce Kramer

James Latta

John Marek

CM Worth Morgan

Sandeep Pednekar

Alfredo Pena

Carlissa Shaw

Corliss Shaw

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

Re: ISB file # I 2016-003

Dear Director Rallings,

During the Board meetings on November 17, 2016 and March 9, 2017 the Civilian Law Enforcement Review Board (CLERB) heard evidence from complainant Mr. Reginald Johnson concerning the referenced Inspectional Services Bureau (ISB) file. The evidence consisted of statements made under oath by Mr. Johnson; video footage provided by Mr. Johnson, which recorded the subject incident; and the closed ISB file.

CLERB Findings

After careful consideration of the evidence and subsequent deliberation, CLERB voted unanimously on November 17, 2016 to sustain Mr. Johnson's complaint against the officers of the Memphis Police Department. The evidence Mr. Johnson presented to CLERB sustained that the police officer(s) violated Policies and Procedures of the Memphis Police Department.

Recommended Action

Based on its findings, CLERB recommends that the Memphis Police Director formally reprimand the officer(s) involved in the subject incident for their behavior during the incident, and include a record of this reprimand in their personnel file(s). Additionally, CLERB recommends that the Memphis Police Department hold sensitivity training and procedural training for the officers involved, with special attention to the issue of entering residences without a warrant and with no extenuating circumstances or probable cause.

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,

A handwritten signature in blue ink that reads "Ralph White". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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

Cc: Mr. Reginald Johnson
Ms. Virginia Wilson, CLERB Administrator



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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



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Corliss Shaw

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

Re: ISB File # I 2012-090

Dear Director Rallings,

During the Board meetings on February 9, 2017 and March 9, 2017 the Civilian Law Enforcement Review Board (CLERB) heard evidence from complainant Ms. Claudette Taylor concerning the referenced Inspectional Services Bureau (ISB) file. The evidence consisted of statements made under oath by Ms. Taylor and two witnesses, as well as the closed ISB file.

CLERB Findings

After careful consideration of the evidence and subsequent deliberation, CLERB voted unanimously on March 9, 2017 to sustain Ms. Taylor's complaint against the officers of the Memphis Police Department. The evidence Ms. Taylor presented to CLERB sustained that the police officer(s) violated Policies and Procedures of the Memphis Police Department.

Recommended Action

Based on its findings, CLERB recommends that the Memphis Police Director formally reprimand the officer(s) involved in the subject incident. The Board also recommends that the officers be required to attend sensitivity training as well as further training on the Policies and Procedures of the Memphis Police Department, especially with regard to "Necessary Force." The Board further recommends that the officers issue a letter of apology to the complainant, Ms. Taylor.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Ralph White". The signature is fluid and cursive, with the first name "Ralph" and last name "White" clearly distinguishable.

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

Cc: Ms. Claudette Taylor

Ms. Virginia Wilson, CLERB Administrator



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Carlissa Shaw

Corliss Shaw

April 11, 2017

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

Re: ISB File # 1080-11

Dear Director Rallings,

During the board meeting on March 9, 2017 the Civilian Law Enforcement Review Board (CLERB) heard evidence from complainant Mr. James Bolden concerning the referenced Inspectional Services Bureau (ISB) file. The evidence consisted of statements made under oath by Mr. Bolden and the closed ISB file.

CLERB Findings

After careful consideration of the evidence and subsequent deliberation, CLERB voted unanimously at its March 9, 2017 meeting to sustain Mr. Bolden's complaint against the officers of the Memphis Police Department. The evidence Mr. Bolden presented to CLERB sustained that the police officer(s) violated Policies and Procedures of the Memphis Police Department.

Recommended Action

Based on its findings, CLERB recommends that the Memphis Police Director require the officers involved to attend sensitivity training, as well as further training on the Policies and Procedures of the Memphis Police Department.

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.

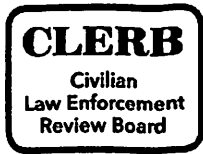
If any of you have any questions regarding CLERB's findings in this matter, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ralph White", with a long, sweeping horizontal line extending to the right.

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

Cc: Mr. James Bolden
Ms. Virginia Wilson, CLERB Administrator



City of Memphis

Civilian Law Enforcement Review Board



February 28, 2017

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 concerning the referenced Inspectional Services Bureau (ISB) file. The evidence consisted of statements made under oath by Mr. Garner; video footage provided by Mr. Garner, which recorded the subject incident; and the closed ISB file.

CLERB Findings

After careful consideration of the evidence and subsequent deliberation, CLERB voted unanimously at its November 11, 2016 meeting to sustain Mr. Garner's complaint against the officers of the Memphis Police Department. The evidence Mr. Garner presented to CLERB sustained that the police officer(s) violated Policies and Procedures of the Memphis Police Department with respect to Mr. Garner.

Recommended Action

Based on its findings, CLERB 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. 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.

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

Mr. Paul Garner

Page 2 of 2

February 28, 2017

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph White". The signature is stylized with a large, looping "R" and "W".

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

Cc: Mr. Paul Garner