

**Minutes for June 14, 2018  
Civilian Law Enforcement Review Board  
City of Memphis**

**Call to Order**

The meeting of the Civilian Law Enforcement Review Board was formally called to order at 4:20p.m by Chairman Ralph White.

**Board Members Present:**

Ralph White, Chair	Marie Finney
Casey Bryant	Dwan Gilliom
Sandeep Pednekar	Hazel Moore
Ricky Floyd	
Floridia Jackson	
David Acey	
Nicholas Bragorgos	

**Board Members Absent:**

Casey Bryant  
June Chinn-Jointer  
John Marek

**Approval of Agenda and Minutes:**

Due to assignment mix-up by Elite Reporting Company, the June 14<sup>th</sup> minutes were not available.

**Items of Discussion**

Chairman Ralph White mentioned to the board that Director Michael Rallings of the Memphis Police Department was present to address the board. Chairman White further stated that Director Rallings accepted the invitation to address the board relative to some of the information that was included in the letters that he (Rallings) received from the board. Chairman White mentioned

that he was giving Director Rallings an opportunity to address the board regarding the letters and any other comments that the Director might want to make to the board.

- a) Chairman White welcomed Director Rallings to the meeting. Director Rallings greeted the board and thanks Ms. Wilson for the invitation to attend the meeting.
- b) Director Rallings stated that while he does not always agree with the board's recommendations, he (Rallings) stated that he takes the recommendations into consideration. For example, he distributed a booklet to the department because of a matter reviewed by the board. He agrees to continue to provide training on the First Amendment and cultural sensitivity training for MPD officers.
- c) Director Rallings left a copy of the 2017 Inspectional Services Bureau Annual Report with Ms. Wilson and agreed to provide more for all of the board members. Pursuant to the report from ISB complaints to Internal Affairs has decreased as follows: total complaints, - 32%; security squad, - 8%; firearm discharges, - 9%; inspectional services total count, down by - 19%; allegation count, down by - 19%; walk-in complaints, - 41%. Telephone complaints increased 10%, which is good, as they want people to call in. He (Rallings) stated that the reductions are due to officers adhering to policy, training, and deployment; city - wide body worn cameras; and the fact that officers do genuinely care and desire to serve and protect the citizens of Memphis.
- d) Director Rallings further stated that he recognize that he and the board must work together, however, there will be times he (Rallings) and the board may need to agree to disagree. Per Director Rallings, the overall goal is for CLERB and the police is to ensure that the officers are policing the city pursuant to the United States Constitution and the laws of Tennessee.
- e) Director Rallings shared with the board that MPD has been working with the Department of Justice over the past six months on an initiative called "Technical Assistance Program" specifically in the areas of community policing; wellness; and de-escalation.
- f) Director Rallings asked for questions. Dwan Gilliom asked if a written reprimand was the typical punishment for not having a body camera on. Director Rallings responded by saying they (MPD) generally don't use punishment. Instead, if there's a policy violation with an officer, they try to take corrective action like training or disciplining. Written reprimand is part of a disciplinary chain. Generally, if an officer doesn't have a heavy disciplinary record, depending on the severity of the offense, they try to correct the behavior, and allow for the occasional mistake. Director Rallings suggested that this was analogous to when a judge dismisses a speeding ticket for a driver with a good driving history.
- g) Chairman White mentioned three cases, Ms. Claudette Taylor, Mr. Paul Garner, and Mr. Reginald Johnson, in which the board recommended action to which the Director did not agree. Director Rallings stated that he replied to each letter in detail and that sometimes

training is already underway for a particular officer so there would be no need to assign more training.

- h) Director Rallings stated that he respects the board's opinion, but in regard to training, he (Rallings) stated in the past the board recommended a bulletin be sent out, and as a result, MPD created a policy and bulletin to educate the officers. He said that they would continue to review each case on case-by-case basis and that anyone else is open to discuss cases if needed. Chairman White agreed that it was important that they have a working relationship.
- i) Mr. Gilliom asked for a brief explanation of excessive force. Director Rallings stated there isn't a brief way to say it; officers are authorized to use the amount of force that is reasonably necessary and attend training on that policy every year. He suggested that the board members attend a training he has provided to better understand police training. He emphasized that he was open to reviewing cases and putting in more training for officers if needed.
- j) Director Rallings also stated that the Supreme Court has been very clear to say that officers should judge when they put themselves in a similar situation as the officer when determining excessive force.
- k) Someone from MPD stated that they were in the process of providing additional training sessions in August for board members who did not attend the original session.
- l) There was discussion on Mr. Garner's case in which internal affairs stated that they did not have a video on his case.
- m) Chairman White emphasized asking clear questions in letters to the director, but also that he wasn't completely satisfied with the Director's presentation because there are good citizens who have still been treated unfairly.

### **New Business**

- n) On May 2, 2017 at 8:00pm Officer Eric Dobbins arrested Mr. Jonathan Jones outside of Oak Court Mall. It was alleged that the officer on the scene used excessive force *via* chokehold. A store clerk called security on Mr. Jones and his two friends because two of them were wearing hoodies. Security escorted them out of the mall. One of the friends of Mr. Jones asked for an apology from the security officer. As a result of the conversation allegedly there was an altercation between the officer who came on the scene, and Mr. Jones.
- o) After much discussion, some members of the board emphasized that the situation could have escalated to something worse than what actually happened. Members of the board apologized on behalf of the security officer for the way Mr. Jones and his friends were treated. They also asked Mr. Jones to speak up and ask more questions, and make a store complaint before getting to the point that it did at the mall. The board commented that they thought that Mr. Jones was a seemingly smart young man who may have gotten caught up in

a bad situation, but thankfully remained relatively unharmed due to the incident.

- p) One of the board members moved to not sustain the case, which was seconded. The motion carried.
- q) Chairman White mentioned letters and dates for the next training would be communicated to the board. Chairman White also mentioned that the board should consider the possibility of meeting every other month instead of every month.
- r) Florida Jackson mentioned to the board that former board member Mr. Charlie Morris passed away and Chairman White also mentioned Ms. Marie Finney also lost her father. Ms. Jackson suggested a moment of silence at the next meeting. Ms. Wilson agreed to send condolences from the board.
- s) Ms. Wilson discussed the next training session for the Citizens Police Academy Training starting September 4<sup>th</sup>. Ms. Wilson stated that she was awaiting an update on the board's request for subpoena power.

### **Adjournment**

Chairman White moved to adjourn the meeting, which passed.