

Minutes
City of Memphis Civilian Law Enforcement Review Board
November 14, 2019

Call to order:

The meeting of the Civilian Law Enforcement Review Board was called to order at approximately 4:00 p.m., on November 14, 2019, at City Hall, 125 North Main Street, 5th Floor, City Council Conference Room, Memphis Tennessee, by Chairman Casey Bryant. Present in the audience were visitors as notated on a separate sign-in sheet.

Board Members Present:

Casey Bryant, Chairman
Ricky Floyd, Vice Chairman
David Acey
Sandeep Pednekar
June Chinn-Jointer

Board Members Absent:

Dwan Gilliom
Floridia Jackson
Hazel Moore
Nicholas Bragorgos
Jamita Swearengen, Council Liaison

Also Present:

Virginia Wilson, CLERB Administrator
Arthur Robinson, CLERB Investigator
Mary Grambergs, Sr. Assistant City Attorney

Approval of Minutes:

A motion to approve the minutes from the September 12, 2019 meeting was made by Ricky Floyd and seconded by David Acey. The motion was carried by all ayes and no nays.

Items discussed:

- Ms. Bryant began discussions with thoughts surrounding the NACOLE conference and the members and staff (Ricky Floyd and Virginia Wilson) who attended believed were some key takeaways that can help CLERB be more

effective. In terms of board effectiveness, Bryant also suggested the following adjustments, as practiced by other boards discussed at the NACOLE conference, as follows: finding out how many complaints are reported to IAB (Internal Affairs/MPD), how many of those complaints are reported to CLERB, and how the board can gain a better outreach to eliminate the disconnect between CLERB and the citizens. .

- Ms. Wilson also began the discussion on the proposed ordinance by Councilman Worth Morgan, who has drafted a new ordinance to make changes to CLERB, including changing the name to Council Law Enforcement Review Board instead of Civilian Law Enforcement Review Board. If the ordinance is passed, the current members of the City Council would be the board members. Ms. Bryant opened the floor to the CLERB members and asked for their opinions regarding the proposed ordinance by Councilman Morgan of the Memphis City Council.

New Business:

Timetric Hines Case

As Mr. Hines was sworn in by Ms. Bryant, she asked Mr. Hines to begin his testimony by telling the board his side of the story regarding the complaint he filed with CLERB. Hines started by saying that he was called down to the probation office where he was then detained and eventually arrested. He was placed in a holding cell after his property (a phone and wallet) had been confiscated from him. He made it clear that while in the holding cell, he was visited by the arresting officer who asked him whether or not he needed any information off the phone before it was placed in lock-up, whereupon Hines replied “no”. Ms. Bryant asks whether Hines saw the phone during this exchange in the holding cell. Hines replied that after he called his mother to let her know that he was to be arrested, that that was the last time he saw the phone either in his possession or in that of the officer.

Hines then spoke extensively in response to several board members asking about exact locations of the phone; about the whereabouts of the phone during the arresting process at Crump Station Probation Office; and the whereabouts of the phone after being released from jail. Hines informed board members that once he was released from jail he noticed that he received all of his belongings with the exception of the phone and that the phone wasn't included on the receipt for the items placed in the property room post-arrest. Hines also mentioned that after he was released from jail he tracked his phone through the GPS installed on the phone and found out the phone was in North Memphis at the time. This statement was met with a series of questions

surrounding the procedure for an arrest and the GPS process. After considerable discussion on both the board's and Mr. Hines' part, Ms. Bryant asked that Mr. Hines sit while the board discussed possible recommendations on his case.

Ms. Bryant presented a unanimous board decision as follows: Because of lack of evidence and having no body camera footage, the board would present the police department with a finding that Officer McCall, the officer in question, mishandled personal property and failed to comply with the procedures for inventorying property and securing evidence in the property room. It is also important to note that the board discussed sending a recommendation to the police department requesting reimbursement by MPD of Mr. Hines' lost phone, but members of the board were uncertain that the board could make a reimbursement recommendation since Mr. Hines claimed that his phone cost \$860.00. The board then decided to send a recommendation of caution to the police department in regards to the handling of evidence and personal property.

As Mr. Hines' case is closed, Ms. Bryant opened up the meeting to the public where visitor Mr. Larry Walker began to discuss his experiences with the police department. Mr. Walker discussed the cruelty he endured not only during his imprisonment but after his imprisonment. Walker presented claims of stalking, unwarranted surveillance, and abuse endured from police officers. He explained that he does not wish to pursue any legal actions against the officers who inflicted such cruelties upon him but does wish to open the eyes of the board on some of the injustices happening around the city. Ms. Bryant followed Mr. Walker's testimony with apologies and condolences.

Adjournment:

Ms. Bryant offered a motion to adjourn and the meeting was adjourned at approximately 5:30 p.m.