

City of Memphis Civilian Law Enforcement Review Board
Board Meeting Minutes
March 12, 2020

Call to Order:

The meeting of the Civilian Law Enforcement Review Board was called to order by Ricky Floyd, Interim Chair at approximately 4:25p.m., on March 12, 2020, in the City Council Conference Room, Fifth Floor, Room 501 at 125 North Main Street, Memphis TN 38103. Present in the audience were visitors as notated on a separate sign-in sheet.

Board Members Present:

David Acey
Ricky Floyd
Hazel Moore
Sandeep Pednekar

Board Members Absent:

Nicholas Bragorgos
June Chinn-Jointer
Dwan Gilliom
Jamita Swearngen, Council Liaison

Also, Present:

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

Approval of the Minutes:

A motion to approve the minutes from November 14,2019 meeting was offered by Mr. Acey and seconded by Mr. Pednekar. The motion carried with all yays and no nays.

Old Business/President's Comments:

Chairwomen Casey Bryant resigned on January 9, 2020

Committee Reports:

No committee reports were presented.

New Business:

CLERB members welcomed Ken Moody, Special Assistant to the Mayor for Community Affairs as the new overseer of CLERB; replacing Alan Crone. Mr. Moody thanked the board members and staff for their work with CLERB. He stated he was grateful to be a part of the team and will assist as needed.

Updates / Reports CLERB Administrator Virginia Wilson

Mrs. Wilson shared with the board that she had submitted the 2019 annual report to the state which outlined the number of complaints by category:

- 41 complaints received in 2019
- 29 were telephone complaints
- 12 were electronic complaints
- No walk-in complaints
- A total of 4 cases were heard by the board
- A total of 6 board meetings were held in 2019

Mrs. Wilson also presented CLERB updates and reports. She shared that the January meeting was cancelled because there was no case to present to the board.

Mrs. Wilson announced that future meetings would be held every other month and the next meeting would be held in May.

Mrs. Wilson brought literature to share with board members and guests, consisting of the pamphlet entitled "What To Do if You Are Stopped By The Police."

The board heard the following case:

Case (12019-013) Rosie Henson Pharr on behalf of Derrecas Henson

Ms. Pharr stated that she came to address the conduct of an officer that was involved with the fatality of her son, Derrecas Hanson. She shared that the information that was presented wasn't accurately depicted. She noted that there were civilian statements but no first-hand information. Ms. Pharr explained that she was informed by personnel from MPD Internal Affairs that the officers did not pursue her son after the initial traffic stop. Ms. Pharr also shared that the video footage contradicts what was said by the officer. Ms. Pharr offered and provided an outline of the misconduct that she accused officer Steve Moore of, which was taking evasive actions to offset the point of location with intent to elude involvement with the fatal crash involving her son that occurred on February 17, 2019. Ms. Pharr said she was disappointed that Officer Moore did not take the time to request adequate back-up assistance and instead instigated a high-speed pursuit without informing his superiors. She stated that she was also concerned that Internal Affairs had ruled that no policy had been violated without following up on the matter.

Mr. Floyd asked to have the video of the incident played and offered his condolences to Ms. Pharr. Mr. Floyd reviewed the investigative report and acknowledged that Officer Moore had been given 20 days sustained and 20 days suspended leave without pay. Mr. Floyd asked Ms. Pharr what her expectations were and what she suggested the next steps should be. Ms. Pharr

noted that she thought that Officer Moore needed to be indicted and charged for his involvement leading up and contributing to the crash because his actions were not within the scope of his duty. Ms. Pharr's daughter mentioned that the reprimand that the officer received was not enough and his consequences should be stiffer.

Mr. Acey suggested that the literature provided by Mrs. Wilson, "What To Do if You Are Stopped By The Police," should be shared with the board and guests. Mr. Acey noted that the video showed her son to be non-compliant after being asked three times to respond to a command. Mr. Acey also informed Ms. Pharr that when her son took off instead of getting out of the car, the officer responded as he should have.

Mr. Pednekar committed to writing a letter to Director Rallings. He asked that Ms. Pharr and her daughter write a letter in their own words to be attached and submitted with his letter.

Mr. Floyd informed Ms. Pharr that the board would make a recommendation to the police department then would vote on whether the recommendation should be: sustained, exonerated, unfounded, or not sustained. Mr. Floyd informed Ms. Pharr that he would not be able to vote as it would be a conflict of interest.

Mr. Floyd asked for someone to make a motion that the board would be voting to recommend to the police department that Officer Moore be removed from his employment. Mr. Pednekar moved that a letter be sent to the Director of Police, and Dr. Acey and Ms. Moore both seconded that motion. The motion passed.

Adjournment:

Mr. Floyd offered a motion to conclude the meeting and it was seconded by Mr. Acey. The meeting was adjourned at 5:50pm.

The next board meeting will be Thursday, September 10, 2020 at 4:00pm at City Hall, in the City Council Conference Room, Fifth Floor, Room 501 at 125 North Main Street, Memphis TN 38103 **or a virtual /Go To Meeting.**