

Minutes for June 8, 2017
Civilian Law Enforcement Review Board
City of Memphis

Call to Order

The meeting was called to order by Chairman White at 4:15 pm.

Board Members Present:

Ralph White, Chairman	Casey Bryant
David Acey	Dwan Gilliom
Florida Jackson	Alfredo Pena
John Marek	
June Chinn-Jointer	

Board Members Absent:

CM Worth Morgan
Bruce Kramer, Vice Chairman
Sandeep Pednekar
Carlissa Shaw

Approval of Agenda and Minutes:

A correction to was made to the May 11, 2017 minutes by Board Member June Chinn-Jointer advising that she (Jointer) was absent at the May meeting.

A motion was made by Bruce Kramer and seconded by June Chinn-Jointer to approve the agenda and minutes from April 13, 2017.

Items of Discussion

Chairman Ralph White recapped the Board's recent agreement to resubmit letters to Director Rallings on three of the sustained cases for further consideration by the Director. Chairman White further stated that a committee of three Board Members (Kramer, Marek and Bryant) had agreed to rewrite the letters to be resubmitted to Director Rallings.

Investigator Arthur Robinson provided a report on the case of complainant Marcus Walker, ISB file # I037-11. Mr. Robinson stated that there had not been any changes since the last meeting. Mr. Robinson further stated that a recent statement claimed that the backup officers arrived at the scene before the responding officer. Another statement claims that there was an affidavit that had complainant's signature, but the complainant stated that he (complainant) did not sign the statement. Mr. Robinson further stated that he (Robinson) pulled records from the Dispatch Office that indicated that the responding officers did make the scene before the backup officers.

Board Member Casey Bryant suggested that the Board look into the “Guaranty Act” to make sure it is something that the Board can use to compel or request police officers to come to hearings.

Chairman White advised that the June meeting is the 10th meeting that City Councilman Worth Morgan has not attended.

Ms. Wilson, Administrator, advised that she is working on a letter to Director Rallings to request officers’ appearance before the Board regarding cases in which they are involved. Chairman White advised that he (Chairman) is not feeling very optimistic that the officers will show and that the Board likely will continue to have to go through City Council in order to compel officers to appear at hearings.

Chairman White made mention that he was hopeful that every Member of the Board had received and reviewed the case that is on the agenda of Ms. Donna LaFleur – ISB file # I2016-02.

Ms. LaFleur was sworn in by Chairman Ralph White. After being sworn in, complainant LaFleur proceeded to give testimony regarding her case. LaFleur stated that during her arrest she was thrown to her kitchen floor and handcuffed. LaFleur stated she was arrested because she had thrown hot coffee on her son’s girlfriend, Allison Toma. Paramedics were called to the scene by Ms. LaFleur, but LaFleur declined transportation to the hospital by ambulance. LaFleur was later transported to Regional One and then to Jail East.

After listening to testimony of Ms. LaFleur, Board Member John Merek asked Ms. LaFleur the disposition of her case.

Ms. LaFleur inquired as to the meaning of Merek’s question. Merek revised, “were you charged with domestic assault that day?”

Ms. LaFleur responded that the charges were dismissed.

Board Member Merek asked Investigator Robinson about body cam footage, and Mr. Robinson replied that he is unsure that body cam footage exist. Robinson stated he requested the footage, but received no reply. After testimony from Ms. LaFleur, Chairman White acknowledged that Ms. LaFleur’s daughter was present and Chairman White asked the Board their thoughts on the helpfulness of hearing from the daughter. Investigator Robinson advised he thought it would be helpful to hear from the daughter.

Ms. Grace Turner, daughter of complainant LaFleur, was sworn in by Chairman White. Ms. Turner advised that she was freaking out seeing her mother on the floor and the police trying to handcuff her.

Board Member Dwan Gilliom ask Ms. Turner her impression of why her mother was being arrested. Ms. Turner stated that she assumed it was because of the altercation between her mother and Allison Toma.

Chairman White stated that it is unfortunate the arrest had to occur, but from what he read in the ISB file and the testimony he just heard, he does not see the excessive force; only different opinions of what occurred.

Mr. Marek stated he feels there is too much uncertainty about the case. Marek recommended that the Board hold the case until it is determined if there is body cam footage

Mr. Marek made the motion to hold off on making a decision on the case until the next meeting, pending information on the body cam and dashboard footage.

Mr. Gilliom suggested the CLERB staff check into getting officers from MPD Training Academy to provide the Board with training as it relates to excessive force.

Mr. Gilliom further stated that he thinks some of the cases are a little tricky, especially as it relates to arresting a female defendant's who may not want to be handcuffed and arrested. Mr. Gilliom stated the training would help the Board grasp what is considered excessive force.

Ms. Wilson, Board Administrator, mentioned to Chairman White and Board Members, that she (Wilson) would contact Director Rallings regarding the additional training for the Board.

Board Member Jointer, mentioned that the Board Members need a refresher course on domestic violence.

Mr. Gilliom made a motion that the Board solicits training from Memphis Police Department, starting with excessive force and arrest procedures. The motion was seconded by Board Member Alfredo Pena.

A presentation of the CLERB Website was made by Collin Johnson for the Neely Agency.

Adjournment

A motion to adjourn was made by Kramer and seconded by Marek. The meeting was formally adjourned by Chairman White at 5:45 pm.