



Civilian Law Enforcement Review Board City of Memphis



555 Beale Street ~ Memphis, TN 38103
(901) 636-66457

CLERB Board

June 13, 2022

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Christopher Mobley  
Specialist

Ken Moody  
Special Assistant to the Mayor

Chief Cerelyn Davis  
Memphis Police Department  
170 North Main Street  
Memphis, TN 38103

Re: ISB File # I2019-022

Dear Chief Davis,

During the Board meeting on July 8, 2021 the Civilian Law Enforcement Review Board (CLERB) heard evidence from complainant Mr. Kleston Beverly concerning the incident with officers of the Memphis Police Department that occurred on June 12, 2019 at Overton and Hawkins Mill St. The evidence consisted of statements made under oath by complainant Mr. Beverly, body-worn video camera footage from the Memphis Police Department, and a closed Inspectional Service Bureau (ISB) file.

### CLERB's findings:

After careful consideration of the evidence and subsequent deliberation, the board determined that Mr. Beverly did not appear to be engaging in unlawful activities at the time of his arrest and therefore probably should not have been arrested. Therefore, the CLERB voted to Sustain the complaint of "Excessive Force." Although a claim of wrongful or unlawful arrest was not part of Mr. Beverly's official complaint to the Inspectional Services Bureau of the Memphis Police Department or the Civilian Law Enforcement Review Board (CLERB) and therefore, to the CLERB-- the fact that Mr. Beverly was arrested under the circumstances revealed by the evidence presented during the board hearing is most concerning to the Board.

**CLERB Recommends the Following:**

- Review policy and procedures of what constitutes a lawful arrest in every situation with officers in the department.
- Review policy and procedures for DR 302 Excessive/Unnecessary Force with officers.

We value your input and sincerely believe your assistance will help to build a stronger relationship between citizens and the Memphis Police Department.

We look forward to your reply in writing to the CLERB's recommendations.

Please feel free to contact me with any questions regarding the findings of the board.

Sincerely,



James Kirkwood, Chairman  
Civilian Law Enforcement Review Board (CLERB)

Cc: Virginia Wilson, CLERB Administrator  
Mr. Kleston Beverly