



Civilian Law Enforcement Review Board City of Memphis



555 Beale Street ~ Memphis, TN 38112
(901) 636-6457

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Jim Strickland for  
Community Affairs

March 23, 2021

Director Michael Rallings  
Memphis Police Department  
170 North Main Street  
Memphis, TN 38103

Re: ISB File # I2019-022

Dear Director Rallings,

During the Board meetings on March 11, 2021 the Civilian Law Enforcement Review Board (CLERB) heard evidence from complainant Mr. Eddie Richardson concerning the referenced Inspectional Service Bureau (ISB) file. The evidence consisted of statements made under oath by Mr. Richardson, one witness who was present at the scene, body-worn video camera footage from the Memphis Police Department, and a closed ISB file.

### CLERB Findings:

After careful consideration of the evidence and subsequent deliberation, CLERB voted on March 11, 2021 to not sustain the complaint of "excessive force" but to make the following recommendations to the Memphis Police Department. While there was no evidence presented of excessive force by the officers involved during Mr. Richardson's arrest, prompting CLERB's vote of "Not Sustained," the evidence Mr. Richardson presented to CLERB shows that Mr. Richardson did not seem to be engaging in unlawful activity at the time of his arrest and therefore probably should not have been arrested at all. Although a claim of wrongful or unlawful arrest was not part of Mr. Richardson's official complaint to MPD-- and therefore, to CLERB-- the fact that

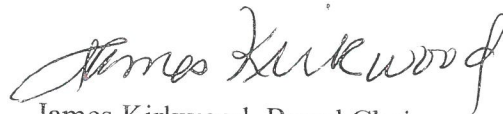
Mr. Richardson was arrested under the circumstances revealed by the evidence is nevertheless concerning to the Board.

**Recommended Action:**

Based on its findings, CLERB recommends that the Memphis Police Director review with officers MPD's policy and procedure of what constitutes a lawful arrest in every situation. We look forward to your reply in writing of the action you propose in response to this recommendation.

If you have any questions about CLERB's findings regarding this matter, please feel free to contact me.

Sincerely,



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

Cc: Eddie Richardson  
Virginia Wilson, CLERB Administrator  
Kenneth Moody, Director of Community Affairs