

BRUCE ANTHONY MCMULLEN, SHAREHOLDER

Direct Dial: [REDACTED]

E-Mail Address [REDACTED]

April 15, 2026

VIA EMAIL

Mr. Lucas Cameron-Vaughn  
ACLU-TN

[REDACTED]

Mr. Tim Cook  
Mr. Timothy Perla  
Wilmer Hale

[REDACTED]

[REDACTED]

Re: The City of Memphis's Preliminary Response to Formal Demand for Investigation regarding the "No Kings Memphis" march that occurred on March 28, 2026

Messrs. Cameron-Vaugh, Cook, and Perla,

The City of Memphis ("the City") is in receipt of your April 1, 2026 demand letter regarding Memphis Police Department's ("MPD") conduct related to the "No Kings Memphis" march held on March 28, 2026. I will respond to each of your enumerated demands separately.

- 1. Open an immediate formal investigation into MPD's conduct on March 28, 2026, including the chain-of-command decisions that led to the use of force against peaceful participants and safety marshals as the march approached its conclusion.**

The City opened an Internal Services Bureau investigation immediately into the actions of the officers involved in the No Kings Memphis march. That investigation is ongoing. The lead investigator is currently reviewing all the video footage from the incident. For context, there are

112 different body worn camera videos that must be thoroughly reviewed as part of the investigation.

Once that process is complete, the investigator will begin witness interviews. There are at least twelve officer-witnesses that must be interviewed, and possibly up to thirty officer-witnesses that will be interviewed as part of the investigation.

Following the witness interviews, the four officers directly involved in the incident will be interviewed. Then, ISB will determine if there were any policy violations. That process is estimated to be complete by June 15, 2026. MPD is working as quickly as possible to complete the investigation, but it is in everyone's best interest—MPD's, ACLU-TN's, the public's, and the officers'—that the investigation be thorough and complete.

If ISB finds that any officer violated MPD policy, the officer will be administratively charged, and an administrative hearing will be scheduled.

Additionally, the City relieved the four involved officers from duty immediately following the event. The four officers remain on leave as of the date of this letter.

There is also a concurrent ongoing criminal prosecution against three of the individuals involved in the protest. The three individuals were arrested and charged. The status of the criminal prosecution is unknown at this time.

- 2. Compel MPD to preserve and produce all body-worn camera footage, dash camera footage, surveillance footage, aerial footage, radio communications, command logs, operational plans, and any written or electronic directives related to MPD's response to the march.**

All video footage and documentation regarding this event has been preserved. Due to the ongoing criminal prosecution, the City is not releasing this information at this time. If the ACLU-TN (a current litigant against the City in the *Blanchard* case) would like to view the footage and other documentation, we will schedule a meeting to facilitate that inspection. Please let us know if that works for you.

- 3. Determine whether the Director of Police, or a designee, issued the written authorization required by Section G before any enforcement action was taken against march participants, and if so, require production of those written findings and assess whether they satisfy the Decree's requirements.**

There was no Section G authorization obtained prior to this event, nor was one required. Section G governs “investigations which may interfere with the exercise of First Amendment rights.” Specifically, Section G provides:

3. Certain criminal investigations prompted by or based upon the content of a person's speech or other expression, whether written or oral, are permitted provided that there is a legitimate law enforcement purpose for doing so. If an investigation is prompted by or based upon a person's speech or other expression for a legitimate law enforcement purpose, the investigation is permissible but always requires authorization as outlined in this section.

4. Any police officer conducting or supervising a lawful investigation of criminal conduct, which investigation is reasonably likely to result in the collection of information about the exercise of First Amendment rights or interfere in any way with the exercise of such First Amendment rights, must immediately bring such investigation to the attention of the Memphis Director of Police or a designee of the Director of Police for review and authorization.

See Amended Consent Decree, § G (emphasis added), attached as Exhibit 1.

Here, MPD was not investigating criminal activity prompted by or based upon the content of a person's speech. MPD was simply present and providing safety to the protestors and the public in response to the Special Event Permit that was filed by [REDACTED] [REDACTED] on February 24, 2026. See Permit, attached as Exhibit 2.

Notably, the Permit, which was approved by the City, represented that the event would be a "community building rally and resource fair," and the location of the event would be Robert Church Park. It further approximated the total attendance at the permitted event to be 50 people. The Permit did not disclose that the attendees intended to march on any public street, nor did it indicate that the attendees intended to block a public street.

Critically, the only "investigation" that occurred prior to the protest was a conversation between the commander of the North Main Precinct, and the event organizer. The commander called the event organizer to let her know that police would be in the area of her permitted event for the attendees' safety and the safety of the public. During that call, the event organizer did not indicate that the attendees intended to leave Robert Church Park, march on public thoroughfares, or block public streets.

**4. Assess whether the use of physical force, chemical agents, and detention against safety marshals and other participants constitutes harassment and intimidation prohibited by Section F.**

As noted above, the internal investigation is ongoing. We will update you once the investigation is complete.

- 5. Determine whether any First Amendment-related intelligence—including photographs, video, or personal information about march attendees, organizers, or elected officials present—was gathered, retained, catalogued, or shared in violation of Section H.**

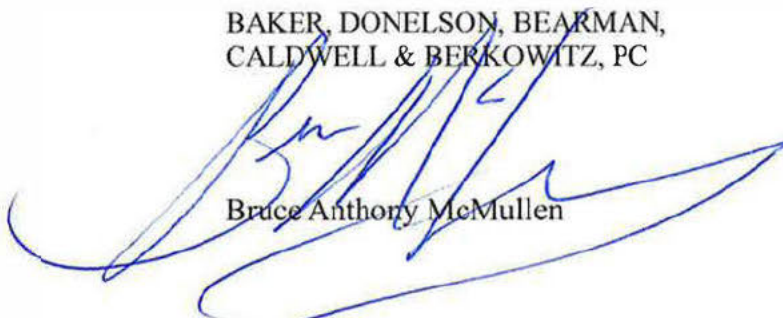
No First Amendment-related intelligence was gathered, retained, catalogued, or shared in violation of Section H.

- 6. Issue a public report of findings promptly and, if violations are confirmed, recommend appropriate remedial measures and sanctions to the Court—including, if warranted, referral for contempt proceedings.**

As noted above, the internal investigation is ongoing. We will update you once the investigation is complete.

Best regards,

BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, PC



Bruce Anthony McMullen

cc: Tannera Gibson  
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