

From: Smith, Major Joseph [Joseph.Smith@memphistn.gov]

Sent: 7/16/2016 10:20:01 PM

To: Ryall, James-rtcc [JRyall@memphistngov.onmicrosoft.com]

CC: Rallings, Interim Director Michael [Michael.Rallings@memphistn.gov]; Bullock, Colonel Gloria

[Gloria.Bullock@memphistn.gov]; Watson, Major Keith [Keith.Watson@memphistn.gov]; Goods, Lt. Darren [Darren.Goods@memphistn.gov]; Bass, Major Eddie [Eddie.Bass@memphistn.gov]; Reynolds, Timothy-mem

[Timothy.Reynolds@memphistn.gov]

Subject: Re: here is another one, 930pm at handy park on beale

Attachments: image1.PNG

The latest post is regarding church at 935 am on tomorrow. Nothing new about Beale St past some discussion about coming to Beale or going to a club.

We will remain vigilant for the evening but it appears as bough they may not show.

Major Joseph Smith North Main Station EDU



Sent from my iPhone

On Jul 16, 2016, at 8:49 PM, Ryall, James-rtcc <JRyall@memphistngov.onmicrosoft.com> wrote:

FYI

Deputy Director Mike Ryall

Memphis Police Department 201 Poplar Avenue Suite 12-25 Memphis, TN 38103 901.636.3326 (office) 901.598.9866 (mobile)

Community Outreach Program (C.O.P), a proactive initiative developed by the Memphis Police Department, to improve the quality of life of citizens and reduce juvenile violence, utilizing crime prevention techniques through identification, enforcement and education within the community.

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EXHIBIT II

2511(1) of the Electronic Communications Privacy Act (EPCA). Violators are subject to fines, imprisonment, civil damages, or both.

Begin forwarded message:

From: "Dickerson, Lt. Jeff" < Jeff. Dickerson@memphistn.gov>

Date: July 16, 2016 at 8:46:56 PM CDT

To: "Ryall, James-rtcc" < <u>JRyall@memphistngov.onmicrosoft.com</u>> Subject: FW: here is another one, 930pm at handy park on beale

FYI

Would you please push this out to NM commanders.

Thanks

Lieutenant Jeff Dickerson

Memphis Police Department Real Time Crime Center 600 Jefferson Memphis, TN 38105 Office Phone 901-636-7822 Office Direct 901-636-7826

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From: Wilburn, Officer Bradley

Sent: Saturday, July 16, 2016 8:44 PM

To: Reynolds, Timothy-mem < <u>Timothy.Reynolds@memphistn.gov</u>>; Bass, Major Eddie

<Eddie.Bass@memphistn.gov>; Chandler, Stephen

<Stephen.Chandler@memphistn.gov>; Penny, Phillip < Phillip.Penny@memphistn.gov>

Cc: Dickerson, Lt. Jeff < Jeff. Dickerson@memphistn.gov >; Ross, Lambert

<Lambert.Ross@memphistn.gov>

Subject: here is another one, 930pm at handy park on beale

<image001.png>

PIII Brad Wilburn Memphis Police Department Real Time Crime Center Office: 901-636-7822

bradley.wilburn@memphistn.gov

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From: Bass, Major Eddie [Eddie.Bass@memphistn.gov]

Sent: 7/17/2016 7:31:24 AM

To: MEM MPD Command Staff [memmpdcommandstaff@memphistn.gov]; MEM MPD Colonels

[memmpdcolonels@memphistn.gov]; MEM MPD Lt. Colonels [memmpdlt.colonels@memphistn.gov]; Goods, Lt. Darren [darren.goods@memphistn.gov]; Chandler, Stephen [stephen.chandler@memphistn.gov]; MEM MPD RTCC [memmpdrtcc@memphistn.gov]; JRyall@memphistngov.onmicrosoft.com; Jimmie Johnson < Jimmie. Johnson@tn. gov> [Jimmie.Johnson@tn.gov]; vance.pitts@tn.gov; Davis, Major Carlos [carlos.davis@memphistn.gov]; Hulsey, Lt.

Eric [eric.hulsey@memphistn.gov]; Segrest, Lt. Aundra [aundra.segrest@memphistn.gov]; Mark Dunbar

[Mark.Dunbar@shelby-sheriff.org]; Scott Wright [Scott.Wright@shelby-sheriff.org]; dale.lane@shelbycountytn.gov;

Michael Brazzell [Michael.Brazzell@shelbycountytn.gov]; Keith, Richard [richard.keith@memphistn.gov]

Subject: Intel for BLM

ALCON,

At the present there is no adverse information that would suggest the potential for civil disorder. According social media Intel, a potential gathering involving Mr. Gipson (Frank Gotti) will take place at a church at 843 W. Raines at 08:30 hours, which DID NOT indicate or suggest the potential social discord.

We will do our best to keep all apprised of pertinent information that would suggest a mobilization of resources due to the potential for civil disorder or threat to law enforcement and public safety.

Respectfully,

Major Eddie Bass Memphis Police Department Special Operations-Air Support Unit/Homeland Security Commander 4517 O. K. Robertson Road, Memphis TN 38127 Office (901) 354-9305 Cell (901) 512-3152

Eddie.bass@memphistn.gov

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EXHIBIT JJ

From: Williams, Colonel Mickey [MichaelR.Williams@memphistn.gov]

Sent: 7/17/2016 8:14:59 AM

To: Bass, Major Eddie [eddie.bass@memphistn.gov]

CC: MEM MPD Command Staff [memmpdcommandstaff@memphistn.gov]; MEM MPD Colonels

[memmpdcolonels@memphistn.gov]; MEM MPD Lt. Colonels [memmpdlt.colonels@memphistn.gov]; Goods, Lt. Darren [darren.goods@memphistn.gov]; Chandler, Stephen [stephen.chandler@memphistn.gov]; MEM MPD RTCC [memmpdrtcc@memphistn.gov]; JRyall@memphistngov.onmicrosoft.com; Jimmie Johnson <Jimmie. Johnson@tn. gov> [Jimmie.Johnson@tn.gov]; vance.pitts@tn.gov; Davis, Major Carlos [carlos.davis@memphistn.gov]; Hulsey, Lt.

Eric [eric.hulsey@memphistn.gov]; Segrest, Lt. Aundra [aundra.segrest@memphistn.gov]; Mark Dunbar

[Mark.Dunbar@shelby-sheriff.org]; Scott Wright [Scott.Wright@shelby-sheriff.org]; dale.lane@shelbycountytn.gov;

Michael Brazzell [Michael.Brazzell@shelbycountytn.gov]; Keith, Richard [richard.keith@memphistn.gov]

Subject: Re: Intel for BLM

Raines Station will be monitoring the situation at 843 W. Raines.

Thank you,
Col. Mickey Williams
Memphis Police Department
Raines Station Commander

<u>791 E. Raines</u>

Memphis, TN 38116

901.636.4560 (office)

901.332.3254 (fax)

901.573.2263 (cell)

MichaelR. Williams@MemphisTN.gov

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<sent from my iPhone>

On Jul 17, 2016, at 7:31 AM, Bass, Major Eddie < Eddie. Bass@memphistn.gov > wrote:

ALCON,

At the present there is no adverse information that would suggest the potential for civil disorder. According social media Intel, a potential gathering involving Mr. Gipson (Frank Gotti) will take place at a church at 843 W. Raines at 08:30 hours, which DID NOT indicate or suggest the potential social discord.

We will do our best to keep all apprised of pertinent information that would suggest a mobilization of resources due to the potential for civil disorder or threat to law enforcement and public safety.

Respectfully,

From: Williams, Colonel Mickey [MichaelR.Williams@memphistn.gov]

Sent: 7/17/2016 9:51:13 AM

To: Bass, Major Eddie [eddie.bass@memphistn.gov]

CC: MEM MPD Command Staff [memmpdcommandstaff@memphistn.gov]; MEM MPD Colonels

[memmpdcolonels@memphistn.gov]; MEM MPD Lt. Colonels [memmpdlt.colonels@memphistn.gov]; Goods, Lt. Darren [darren.goods@memphistn.gov]; Chandler, Stephen [stephen.chandler@memphistn.gov]; MEM MPD RTCC [memmpdrtcc@memphistn.gov]; JRyall@memphistngov.onmicrosoft.com; Jimmie Johnson < Jimmie. Johnson@tn.gov [Jimmie.Johnson@tn.gov]; vance.pitts@tn.gov; Davis, Major Carlos [carlos.davis@memphistn.gov]; Hulsey, Lt.

Eric [eric.hulsey@memphistn.gov]; Segrest, Lt. Aundra [aundra.segrest@memphistn.gov]; Mark Dunbar

[Mark.Dunbar@shelby-sheriff.org]; Scott Wright [Scott.Wright@shelby-sheriff.org]; dale.lane@shelbycountytn.gov;

Michael Brazzell [Michael.Brazzell@shelbycountytn.gov]; Keith, Richard [richard.keith@memphistn.gov]

Subject: RE: Intel for BLM

As of 9:30am, there were only about 15 vehicles parked on the lot at 843 W. Raines, and everyone went inside of the church, which is located on the SE corner of Westmont and Raines. This is Thaddeus Matthews' church, known as The Ivory Place.

Thank you,

Col. Mickey Williams

Memphis Police Department

Raines Station Commander

791 E. Raines

Memphis, TN 38116

901.636.4560 (office)

901.332.3254 (fax)

901.573.2263 (cell)

Michael R. Williams @Memphis TN.gov

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From: Williams, Colonel Mickey **Sent:** Sunday, July 17, 2016 8:15 AM

To: Bass, Major Eddie

Cc: MEM MPD Command Staff; MEM MPD Colonels; MEM MPD Lt. Colonels; Goods, Lt. Darren; Chandler, Stephen; MEM MPD RTCC; JRyall@memphistngov.onmicrosoft.com; Jimmie Johnson < Jimmie. Johnson@tn. gov>; vance.pitts@tn.gov; Davis, Major Carlos; Hulsey, Lt. Eric; Segrest, Lt. Aundra; Mark Dunbar; Scott Wright; dale.lane@shelbycountytn.gov;

Michael Brazzell; Keith, Richard **Subject:** Re: Intel for BLM

Raines Station will be monitoring the situation at 843 W. Raines.

Thank you, Col. Mickey Williams Memphis Police Department Raines Station Commander 791 E. Raines Memphis, TN 38116 901.636.4560 (office)

Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 1 of 19 PageID

From: Grafenreed, Jessica [Jessica.Grafenreed@memphistn.gov]

Sent: 7/15/2016 5:27:03 PM

To: MEM MPD Executive Staff [memmpdexecutivestaff@memphistn.gov]; MEM MPD Command Staff

[memmpdcommandstaff@memphistn.gov]; MEM MPD Colonels [memmpdcolonels@memphistn.gov]; MEM MPD

Lt. Colonels [memmpdlt.colonels@memphistn.gov]; MEM MPD Precinct - Traffic CO's [memmpdprecinct-

trafficco's@memphistn.gov]; MEM MPD Special Ops CO's [memmpdspecialopsco's@memphistn.gov]; MEM MPD

Special Services [memmpdspecialservices@memphistn.gov]; MEM MPD Communications Supervisors [memmpdcommunicationssupervisors@memphistn.gov]; MEM MPD Investigative Services Command

[memmpdinvestigativeservicescommand@memphistn.gov]; MEM MPD RTCC [memmpdrtcc@memphistn.gov]; MEM MPD Training Academy [memmpdtrainingacademy@memphistn.gov]; MEM MPD Homeland Security Mailing List [homelandsecurity@memphistn.gov]; Bass, Major Eddie [eddie.bass@memphistn.gov]; Sampietro, Major Dana [dsampietro@memphistn.gov]; MEM MPD Public Information Office [pio@memphistn.gov]; Chandler, Stephen

[stephen.chandler@memphistn.gov]

Subject: Facebook posting **Attachments**: Darrius Stewart.jpg

All,

Mary Stewart posted this 3 hours ago on her Facebook Page.

Thank you,

Officer Jessica Grafenreed

RTCC 901-636-7845

Fax 901-524-1068

Memphis Police Department

jessica.grafenreed@memphistn.gov

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EXHIBIT KK

Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 2 of 19 PageID 3340

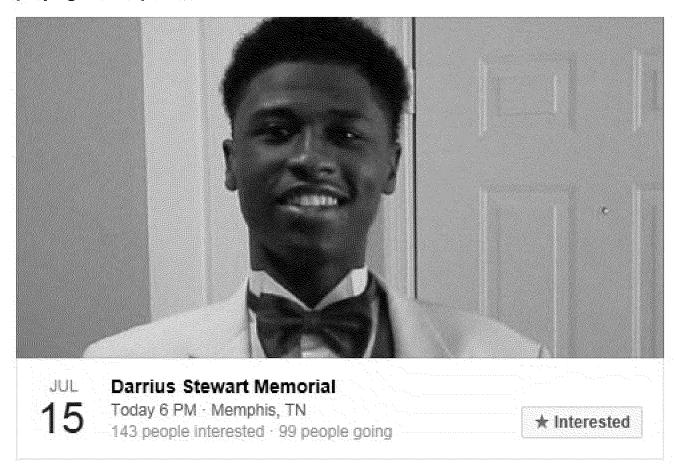
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Mary Stewart 3 hrs · ❷

Everyone is welcomed to attend Darrius Stewart's Truth Memorial at New Direction Church where he was Killed today at 6pm-7pm where he was Killedthe church... This event is about #DarriusStewartsTruth & Not about praying for the police...



Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 4 of 19 PageID 3342

From: Worthy, Colonel Marcus [Marcus.Worthy@memphistn.gov]

Sent: 7/15/2016 6:40:21 PM

To: Tow, Jeff [Jeffrey.Tow@memphistngov.onmicrosoft.com]; Jackson, Major Debbie [debbie.jackson@memphistn.gov];

Hines, Colonel Samuel [samuel.hines@memphistn.gov]; Gardner, Lt. Anthony [anthony.gardner@memphistn.gov]

CC: MEM MPD Executive Staff [memmpdexecutivestaff@memphistn.gov]; MEM MPD Command Staff

[memmpdcommandstaff@memphistn.gov]; MEM MPD Colonels [memmpdcolonels@memphistn.gov]; MEM MPD

Lt. Colonels [memmpdlt.colonels@memphistn.gov]; MEM MPD Precinct - Traffic CO's [memmpdprecinct-

trafficco's@memphistn.gov]; MEM MPD Special Ops CO's [memmpdspecialopsco's@memphistn.gov]; MEM MPD

Special Services [memmpdspecialservices@memphistn.gov]; MEM MPD Communications Supervisors [memmpdcommunicationssupervisors@memphistn.gov]; MEM MPD Investigative Services Command

[memmpdinvestigativeservicescommand@memphistn.gov]; MEM MPD RTCC [memmpdrtcc@memphistn.gov]; MEM MPD Training Academy [memmpdtrainingacademy@memphistn.gov]; MEM MPD Homeland Security Mailing List [homelandsecurity@memphistn.gov]; Bass, Major Eddie [eddie.bass@memphistn.gov]; Sampietro, Major Dana [dsampietro@memphistn.gov]; MEM MPD Public Information Office [pio@memphistn.gov]; Chandler, Stephen

[stephen.chandler@memphistn.gov]

Subject: RE: Facebook posting **Attachments**: 20160715_183617.jpg

I just made the scene at New Direction Church in the 5800 block of Winchester there's about 50 people gathered for the prayer for Darius Stewart. No one is in the street they are all on the sidewalk and on the property of the church they're actually parking on the property of the church and walking up to the street will monitor it and advise if we have any problems as of right now no problems. I'm across the street they do not know that I'm watching them.

Colonel M.A.Worthy Commander Ridgeway Station Memphis Police Department 3840 Ridgeway Memphis,TN 38115

Office: 901.636.4526 Mobile: 901.569.5470 Mobile: 901.487.3560

----- Original message -----

From: "Tow, Jeff" <Jeffrey.Tow@memphistngov.onmicrosoft.com>

Date: 7/15/16 6:32 PM (GMT-06:00)

To: "Jackson, Major Debbie" < Debbie. Jackson@memphistn.gov >, "Hines, Colonel Samuel"

<Samuel.Hines@memphistn.gov>, "Gardner, Lt. Anthony" <Anthony.Gardner@memphistn.gov>

Cc: MEM MPD Executive Staff < MEMMPDExecutiveStaff@memphistn.gov>, MEM MPD Command Staff

<MEMMPDCommandStaff@memphistn.gov>, MEM MPD Colonels <MEMMPDColonels@memphistn.gov>, "MEM MPD

Lt. Colonels" <MEMMPDLt.Colonels@memphistn.gov>, MEM MPD Precinct - Traffic CO's <MEMMPDPrecinct-

TrafficCO's@memphistn.gov>, MEM MPD Special Ops CO's <MEMMPDSpecialOpsCO's@memphistn.gov>, MEM MPD

Special Services <MEMMPDSpecialServices@memphistn.gov>, MEM MPD Communications Supervisors

<MEMMPDCommunicationsSupervisors@memphistn.gov>, MEM MPD Investigative Services Command

<MEMMPDInvestigativeServicesCommand@memphistn.gov>, MEM MPD RTCC <MEMMPDRTCC@memphistn.gov>,

MEM MPD Training Academy <MEMMPDTrainingAcademy@memphistn.gov>, MEM MPD Homeland Security Mailing

List < HomelandSecurity@memphistn.gov>, "Bass, Major Eddie" < Eddie.Bass@memphistn.gov>, "Sampietro, Major

Dana" <DSampietro@memphistn.gov>, MEM MPD Public Information Office <pio@memphistn.gov>, "Chandler,

Stephen" <Stephen.Chandler@memphistn.gov>

Subject: Re: Facebook posting

This is Ridgeway Station, but we will prob assist with our TF.

Thanks.

Sent from my iPhone Jeff Tow

On Jul 15, 2016, at 5:08 PM, Grafenreed, Jessica < <u>Jessica.Grafenreed@memphistn.gov</u>> wrote:

All,

This post just came in. There will be two protest/memorial locations for Darrius Stewart according to Frank Gotti's facebook page.

Thank you,
Officer Jessica Grafenreed
RTCC 901-636-7845
Fax 901-524-1068
Memphis Police Department
jessica.grafenreed@memphistn.gov

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<Frank Gotti 2.jpg>



Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 7 of 19 PageID

From: Worthy, Colonel Marcus [Marcus.Worthy@memphistn.gov]

Sent: 7/15/2016 6:48:50 PM

To: Tow, Jeff [Jeffrey.Tow@memphistngov.onmicrosoft.com]; Jackson, Major Debbie [debbie.jackson@memphistn.gov];

Hines, Colonel Samuel [samuel.hines@memphistn.gov]; Gardner, Lt. Anthony [anthony.gardner@memphistn.gov]

CC: MEM MPD Executive Staff [memmpdexecutivestaff@memphistn.gov]; MEM MPD Command Staff

[memmpdcommandstaff@memphistn.gov]; MEM MPD Colonels [memmpdcolonels@memphistn.gov]; MEM MPD

Lt. Colonels [memmpdlt.colonels@memphistn.gov]; MEM MPD Precinct - Traffic CO's [memmpdprecinct-

trafficco's@memphistn.gov]; MEM MPD Special Ops CO's [memmpdspecialopsco's@memphistn.gov]; MEM MPD

Special Services [memmpdspecialservices@memphistn.gov]; MEM MPD Communications Supervisors [memmpdcommunicationssupervisors@memphistn.gov]; MEM MPD Investigative Services Command

[memmpdinvestigativeservicescommand@memphistn.gov]; MEM MPD RTCC [memmpdrtcc@memphistn.gov]; MEM MPD Training Academy [memmpdtrainingacademy@memphistn.gov]; MEM MPD Homeland Security Mailing List [homelandsecurity@memphistn.gov]; Bass, Major Eddie [eddie.bass@memphistn.gov]; Sampietro, Major Dana [dsampietro@memphistn.gov]; MEM MPD Public Information Office [pio@memphistn.gov]; Chandler, Stephen

[stephen.chandler@memphistn.gov]

Subject: RE: Facebook posting

CORRECTED

News media is on the scene filming the prayer still no problems

Colonel M.A.Worthy Commander Ridgeway Station Memphis Police Department 3840 Ridgeway Memphis.TN 38115

Office: 901.636.4526 Mobile: 901.569.5470 Mobile: 901.487.3560

----- Original message -----

From: "Worthy, Colonel Marcus" < Marcus. Worthy@memphistn.gov>

Date: 7/15/16 6:44 PM (GMT-06:00)

To: "Tow, Jeff" <Jeffrey.Tow@memphistngov.onmicrosoft.com>, "Jackson, Major Debbie"

<Debbie.Jackson@memphistn.gov>, "Hines, Colonel Samuel" <Samuel.Hines@memphistn.gov>, "Gardner, Lt. Anthony"

<Anthony.Gardner@memphistn.gov>

Cc: MEM MPD Executive Staff < MEMMPDExecutiveStaff@memphistn.gov>, MEM MPD Command Staff < MEMMPDCommandStaff@memphistn.gov>, MEM MPD Colonels < MEMMPDColonels@memphistn.gov>, "MEM MPD Colonels.gov>, "MEM MPD C

Lt. Colonels" <MEMMPDLt.Colonels@memphistn.gov>, MEM MPD Precinct - Traffic CO's <MEMMPDPrecinct-

TrafficCO's@memphistn.gov>, MEM MPD Special Ops CO's <MEMMPDSpecialOpsCO's@memphistn.gov>, MEM MPD

Special Services <MEMMPDSpecialServices@memphistn.gov>, MEM MPD Communications Supervisors

<MEMMPDCommunicationsSupervisors@memphistn.gov>, MEM MPD Investigative Services Command

<MEMMPDInvestigativeServicesCommand@memphistn.gov>, MEM MPD RTCC <MEMMPDRTCC@memphistn.gov>,

MEM MPD Training Academy <MEMMPDTrainingAcademy@memphistn.gov>, MEM MPD Homeland Security Mailing List <HomelandSecurity@memphistn.gov>, "Bass, Major Eddie" <Eddie.Bass@memphistn.gov>, "Sampietro, Major

Dana" <DSampietro@memphistn.gov>, MEM MPD Public Information Office <pio@memphistn.gov>, "Chandler,

Stephen" <Stephen.Chandler@memphistn.gov>

Subject: RE: Facebook posting

Newton meters on the same feeling the prayer still no problems

Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 8 of 19 PageID 3346

Colonel M.A.Worthy Commander Ridgeway Station Memphis Police Department 3840 Ridgeway Memphis,TN 38115

Office: 901.636.4526 Mobile: 901.569.5470 Mobile: 901.487.3560

----- Original message ------

From: "Worthy, Colonel Marcus" < Marcus. Worthy@memphistn.gov>

Date: 7/15/16 6:40 PM (GMT-06:00)

To: "Tow, Jeff" <Jeffrey.Tow@memphistngov.onmicrosoft.com>, "Jackson, Major Debbie"

<Debbie.Jackson@memphistn.gov>, "Hines, Colonel Samuel" <Samuel.Hines@memphistn.gov>, "Gardner, Lt. Anthony"

<Anthony.Gardner@memphistn.gov>

Cc: MEM MPD Executive Staff < MEMMPDExecutiveStaff@memphistn.gov>, MEM MPD Command Staff

<MEMMPDCommandStaff@memphistn.gov>, MEM MPD Colonels <MEMMPDColonels@memphistn.gov>, "MEM MPD

Lt. Colonels" <MEMMPDLt.Colonels@memphistn.gov>, MEM MPD Precinct - Traffic CO's <MEMMPDPrecinct-

TrafficCO's@memphistn.gov>, MEM MPD Special Ops CO's <MEMMPDSpecialOpsCO's@memphistn.gov>, MEM MPD

Special Services <MEMMPDSpecialServices@memphistn.gov>, MEM MPD Communications Supervisors

 $<\!\!\mathsf{MEMMPDCommunicationsSupervisors@memphistn.gov}\!\!>\!\!, \mathsf{MEM\ MPD\ Investigative\ Services\ Command}$

MEM MPD Training Academy <MEMMPDTrainingAcademy@memphistn.gov>, MEM MPD Homeland Security Mailing List <HomelandSecurity@memphistn.gov>, "Bass, Major Eddie" <Eddie.Bass@memphistn.gov>, "Sampietro, Major

Dana" <DSampietro@memphistn.gov>, MEM MPD Public Information Office <pio@memphistn.gov>, "Chandler,

Stephen" < Stephen. Chandler@memphistn.gov>

Subject: RE: Facebook posting

I just made the scene at New Direction Church in the 5800 block of Winchester there's about 50 people gathered for the prayer for Darius Stewart. No one is in the street they are all on the sidewalk and on the property of the church they're actually parking on the property of the church and walking up to the street will monitor it and advise if we have any problems as of right now no problems. I'm across the street they do not know that I'm watching them.

Colonel M.A.Worthy Commander Ridgeway Station Memphis Police Department 3840 Ridgeway Memphis,TN 38115

Office: 901.636.4526 Mobile: 901.569.5470 Mobile: 901.487.3560

----- Original message -----

From: "Tow, Jeff" <Jeffrey.Tow@memphistngov.onmicrosoft.com>

Date: 7/15/16 6:32 PM (GMT-06:00)

To: "Jackson, Major Debbie" < Debbie. Jackson@memphistn.gov>, "Hines, Colonel Samuel" < Samuel. Hines@memphistn.gov>, "Gardner, Lt. Anthony" < Anthony. Gardner@memphistn.gov>

Cc: MEM MPD Executive Staff < MEMMPDExecutiveStaff@memphistn.gov>, MEM MPD Command Staff

<MEMMPDCommandStaff@memphistn.gov>, MEM MPD Colonels <MEMMPDColonels@memphistn.gov>, "MEM MPD

Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 9 of 19 PageID 3347

Lt. Colonels" <MEMMPDLt.Colonels@memphistn.gov>, MEM MPD Precinct - Traffic CO's <MEMMPDPrecinct-TrafficCO's@memphistn.gov>, MEM MPD Special Ops CO's <MEMMPDSpecialOpsCO's@memphistn.gov>, MEM MPD Special Services <MEMMPDSpecialServices@memphistn.gov>, MEM MPD Communications Supervisors <MEMMPDCommunicationsSupervisors@memphistn.gov>, MEM MPD Investigative Services Command <MEMMPDInvestigativeServicesCommand@memphistn.gov>, MEM MPD RTCC <MEMMPDRTCC@memphistn.gov>, MEM MPD Training Academy <MEMMPDTrainingAcademy@memphistn.gov>, MEM MPD Homeland Security Mailing List <HomelandSecurity@memphistn.gov>, "Bass, Major Eddie" <Eddie.Bass@memphistn.gov>, "Sampietro, Major Dana" <DSampietro@memphistn.gov>, "Chandler, Stephen" <Stephen.Chandler@memphistn.gov>

Subject: Re: Facebook posting

This is Ridgeway Station, but we will prob assist with our TF.

Thanks.

Sent from my iPhone Jeff Tow

On Jul 15, 2016, at 5:08 PM, Grafenreed, Jessica < Jessica. Grafenreed@memphistn.gov> wrote:

All,

This post just came in. There will be two protest/memorial locations for Darrius Stewart according to Frank Gotti's facebook page.

Thank you,
Officer Jessica Grafenreed
RTCC 901-636-7845
Fax 901-524-1068
Memphis Police Department
jessica.grafenreed@memphistn.gov

Community Outreach Program (C.O.P), a proactive initiative developed by the Memphis Police Department, to improve the quality of life of citizens and reduce juvenile violence, utilizing crime prevention techniques through identification, enforcement and education within the community.

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<Frank Gotti 2.jpg>

Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 11 of 19 PageID

From: Worthy, Colonel Marcus [Marcus.Worthy@memphistn.gov]

Sent: 7/15/2016 6:56:57 PM

To: Tow, Jeff [Jeffrey.Tow@memphistngov.onmicrosoft.com]; Jackson, Major Debbie [debbie.jackson@memphistn.gov];

Hines, Colonel Samuel [samuel.hines@memphistn.gov]; Gardner, Lt. Anthony [anthony.gardner@memphistn.gov]

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Subject: RE: Facebook posting

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Subject: RE: Facebook posting

CORRECTED

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Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 12 of 19 PageID 3350

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Special Services < MEMMPDSpecialServices@memphistn.gov>, MEM MPD Communications Supervisors

Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 13 of 19 PageID 3351

<MEMMPDCommunicationsSupervisors@memphistn.gov>, MEM MPD Investigative Services Command
<MEMMPDInvestigativeServicesCommand@memphistn.gov>, MEM MPD RTCC <MEMMPDRTCC@memphistn.gov>, MEM MPD Training Academy <MEMMPDTrainingAcademy@memphistn.gov>, MEM MPD Homeland Security Mailing List <HomelandSecurity@memphistn.gov>, "Bass, Major Eddie" <Eddie.Bass@memphistn.gov>, "Sampietro, Major Dana" <DSampietro@memphistn.gov>, MEM MPD Public Information Office <pio@memphistn.gov>, "Chandler, Stephen" <Stephen.Chandler@memphistn.gov>

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Memphis Police Department
3840 Ridgeway
Memphis,TN 38115

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<Frank Gotti 2.jpg>

Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 15 of 19 PageID

From: Worthy, Colonel Marcus [Marcus.Worthy@memphistn.gov]

Sent: 7/15/2016 7:45:55 PM

To: Tow, Jeff [Jeffrey.Tow@memphistngov.onmicrosoft.com]; Jackson, Major Debbie [debbie.jackson@memphistn.gov];

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[stephen.chandler@memphistn.gov]

Subject: RE: Facebook posting

Everyone has left the scene they planted a tree for Darius Stewart. We confirmed they had permission from New Direction to plant a tree we are going to clear.

Colonel M.A.Worthy Commander Ridgeway Station Memphis Police Department 3840 Ridgeway Memphis,TN 38115

Office: 901.636.4526 Mobile: 901.569.5470 Mobile: 901.487.3560

----- Original message -----

From: "Worthy, Colonel Marcus" < Marcus. Worthy@memphistn.gov>

Date: 7/15/16 6:57 PM (GMT-06:00)

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 $<\!\!\mathsf{MEMMPDInvestigativeServicesCommand@memphistn.gov}\!\!>\!\!, \mathsf{MEM\ MPD\ RTCC}\!\!<\!\!\mathsf{MEMMPDRTCC@memphistn.gov}\!\!>\!\!, \mathsf{MEM\ MPD\ RTCC}\!\!<\!\!\mathsf{MEMMPDRTCC@memphistn.gov}\!\!>\!\!, \mathsf{MEM\ MPD\ RTCC}\!\!>\!\!, \mathsf{MEM\ MPD\ RTCC}\!\!>\!\!,$

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Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 16 of 19 PageID 3354

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Case 2:17-cv-02120-JPM-egb Document 107-39 Filed 07/24/18 Page 17 of 19 PageID 3355

Special Services <MEMMPDSpecialServices@memphistn.gov>, MEM MPD Communications Supervisors <MEMMPDCommunicationsSupervisors@memphistn.gov>, MEM MPD Investigative Services Command <MEMMPDInvestigativeServicesCommand@memphistn.gov>, MEM MPD RTCC <MEMMPDRTCC@memphistn.gov>, MEM MPD Training Academy <MEMMPDTrainingAcademy@memphistn.gov>, MEM MPD Homeland Security Mailing List <HomelandSecurity@memphistn.gov>, "Bass, Major Eddie" <Eddie.Bass@memphistn.gov>, "Sampietro, Major Dana" <DSampietro@memphistn.gov>, MEM MPD Public Information Office <pio@memphistn.gov>, "Chandler, Stephen" <Stephen.Chandler@memphistn.gov>

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On Jul 15, 2016, at 5:08 PM, Grafenreed, Jessica < <u>Jessica.Grafenreed@memphistn.gov</u>> wrote:

All,

This post just came in. There will be two protest/memorial locations for Darrius Stewart according to Frank Gotti's facebook page.

Thank you,
Officer Jessica Grafenreed
RTCC 901-636-7845
Fax 901-524-1068
Memphis Police Department
jessica.grafenreed@memphistn.gov

Community Outreach Program (C.O.P), a proactive initiative developed by the Memphis Police Department, to improve the quality of life of citizens and reduce juvenile violence, utilizing crime prevention techniques through identification, enforcement and education

NOTICE: This e-mail and any files transmitted with it may contain information that is privileged and confidential, and is

intended solely for the use of the individuals or entities to whom addressed. If you have received this transmission in error,

please notify the sender immediately by telephone or e-mail and delete this e-mail from your system. If you are not the

intended recipient, you are hereby notified that reviewing, disclosing, copying, distributing or taking any action in reliance

on the contents herein is strictly prohibited. Any attempts to intercept this message are in violation of Title 18 U. S. C.

2511(1) of the Electronic Communications Privacy Act (EPCA). Violators are subject to fines, imprisonment, civil damages, or both.

<Frank Gotti 2.jpg>

Case 2:17-cv-02120-JPM-egb Document 107-40 Filed 07/24/18 Page 1 of 2 PageID 3358

From: Reynolds, Timothy-mem [/O=MEMPHIS/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=TREYNOLDS]

Sent: 8/4/2016 7:00:23 AM

To: 'phillip penny' [phillip.penny@memphistn.gov]

CC: Chandler, Stephen [stephen.chandler@memphistn.gov]; Bass, Major Eddie [eddie.bass@memphistn.gov]

Subject: TNT Keedran Franklin

Importance: High

Lt.,

Franklin placed this

link https://docs.google.com/forms/d/e/1FAIpQLSduokXrCcCmOXrLbdlayRJmeD_jLJI4i5JPK3yeWV_Q_cz_C g/viewform?c=0&w=1 on KEEDRAN TNT FRANKLIN'S Facebook page

https://www.facebook.com/www.facebook.co

Yesterday Penny and I contacted OCU and obtained a UC telephone number to contact people like Franklin. I put the UC number on the sign up form. Calls and texts made to and from this number are recorded in case we need to produce them later. I've also had a few texts from Spencer KAATZ yesterday.

Perhaps we'll start getting some good information on these demonstrations in time to be proactive.

Thank you,

Detective Tim Reynolds
Memphis Police Department
Office of Homeland Security
600 Jefferson Suite 400
Memphis, TN 38103

timothy.reynolds@memphistn.gov

901-636-7853 (Desk) 901-355-6765 (Cell)

901-524-1068 (Fax)

Community Outreach Program (C.O.P), a proactive initiative developed by the Memphis Police Department, to improve the quality of life of citizens and reduce juvenile violence, utilizing crime prevention techniques through identification, enforcement and education within the community.

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EXHIBIT LL

From: MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@memphistn.gov

[MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@memphistn.gov]

on behalf of Reynolds, Timothy-mem [Timothy.Reynolds@memphistn.gov]

Sent: 8/4/2016 7:00:24 AM

To: Penny, Sgt. Phillip [phillip.penny@memphistn.gov]

CC: Chandler, Stephen [Stephen.Chandler@memphistn.gov]; Bass, Major Eddie [Eddie.Bass@memphistn.gov]

Subject: TNT Keedran Franklin **Attachments**: TNT Keedran Franklin

Sender: Timothy.Reynolds@memphistn.gov

Subject: TNT Keedran Franklin

Message-Id: <8F632D3B6FD6F541AB5E1DEF3062234801E3B39644@MEMMAILBOX04.memphis.ad>

To: phillip.penny@memphistn.gov Cc: Stephen.Chandler@memphistn.gov Cc: Eddie.Bass@memphistn.gov

Cc: Edd

From: Reynolds, Timothy-mem [Timothy.Reynolds@memphistn.gov]

Sent: 8/10/2016 10:45:00 AM

To: Bass, Major Eddie [eddie.bass@memphistn.gov]

CC: Chandler, Stephen [stephen.chandler@memphistn.gov]; Penny, Sgt. Phillip [phillip.penny@memphistn.gov]

Subject: FW: Meeting

Attachments: FullSizeRender.jpg; ATT00001.txt

Major,

I know this is short notice, but I was wondering if we could send someone from OCU over there to gather some information on this meeting. This invite came from Spencer KAAZ via text message. Last week I had a UC phone number set up with OCU that would record these text and calls.

The invitation is pictured above and if we are able to send someone from OCU please let me know so I can respond to KAAZ via text.

Tim

----Original Message---From: Reynolds, Timothy-mem

Sent: Wednesday, August 10, 2016 10:40 AM

To: Reynolds, Timothy-mem

Subject: Meeting

Thank you for signing up for #C3's Rise Up direct connect service. We are having two Civil Disobedience Trainings. We are calling for supporters who to be a Frontline Marshal to attend a training session led by seasoned Non-Violent Direct Action veterans. The Den. 12-1pm. 656 Marshall Ave. Wednesday (TODAY)

Case 2:17-cv-02120-JPM-egb Document 107-42 Filed 07/24/18 Page 1 of 1 PageID 3362

From Howard, Aubrey [Aubrey Howard@memphistn.gov]

Sent 7/13/2016 4:45:06 PM

To: Permits Folder Distribution - DL [permits folder distribution-dl@niemphistn.gov]

All, please pay attention and record any and all anonymous calls asking about protest permits, particularly. Thanks,

Aubrey J. Howard
Permits-Licenses Administrator
Law Division
City of Memphis
901 636 6711

Disclaimer: This e-mail may contain privileged and confidential information and is intended only for the use of the specific individual(s) to whom it is addressed. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use, dissemination or copying of this e-mail or the information contained in it or attached to it is strictly prohibited. If you have received this e-mail in error, please delete it and immediately notify the person named above by reply e-mail. Contact via email or otherwise does not establish an attorney-client relationship. Unsolicited email or contact is not subject to any type of privilege or confidentiality. Messages via email or other internet methods should not be considered as a secure means of communication; such communication is susceptible to interception through the Internet Service Provider, the email host provider, etc.

From: Howard, Aubrey [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D510AC9C199946B594AA8711432FB521-HOWARD, AUB]

Sent: 1/19/2017 4:48:37 PM

To: Landrum, Deputy Chief Terry-mem [terry.landrum@memphistn.gov]

Subject: RE: Protest march Feb 20 at 1700

We have asked for 14 days for known protest. I will be more vigilant!

Aubrey J. Howard

Permits-Licenses Administrator Law Division City of Memphis 901 636 6711

Disclaimer: This e-mail may contain privileged and confidential information and is intended only for the use of the specific individual(s) to whom it is addressed. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use, dissemination or copying of this e-mail or the information contained in it or attached to it is strictly prohibited. If you have received this e-mail in error, please delete it and immediately notify the person named above by reply e-mail. Contact via email or otherwise does not establish an attorney-client relationship. Unsolicited email or contact is not subject to any type of privilege or confidentiality. Messages via email or other internet methods should not be considered as a secure means of communication; such communication is susceptible to interception through the Internet Service Provider, the email host provider, etc.

From: Landrum, Deputy Chief Terry-mem **Sent:** Thursday, January 19, 2017 4:43 PM

To: Howard, Aubrey

Subject: FW: Protest march Feb 20 at 1700

What is the time line to obtain a permit? We got this yesterday for a protest tomorrow. This doesn't give us much time especially with this group who are always a problem.

From: Bullock, Colonel Gloria

Sent: Thursday, January 19, 2017 2:48 PM **To:** Landrum, Deputy Chief Terry-mem

Cc: Garrett, Deputy Chief Frank; Hardy, Deputy Chief Michael-mem; Watson, Lt. Colonel Keith; Wright, Colonel Paul;

Burnett, Colonel Patricia; Sampietro, Lt. Colonel Dana; Houston, Colonel Russell

Subject: Protest march Feb 20 at 1700

Sir,

We just now received this permit. A protest march tomorrow (1/20)put on by the **Peace and Justice Center**. They usually like to cause a scene for media notice. I will have to hire OT and get some EDU guys to come in early. I'd rather be prepared than surprised. The Permits office did not give us enough notice to prepare a detail. I will reach out to Col Wright and Burnett and see if they can assist, in case. I will also advise Crump to be prepared, if we call out. It may be nothing, but my experience with this group is that they are **loud and like attention**. I will also advise the Beale Merchants, since it looks like they might walk down Beale en route to city hall.

EXHIBIT OO

To:

Reynolds, Timothy-mem[Timothy.Reynolds@memphistn.gov] Calsard, Lt. 7 ชาง Darky Calland @ Bendard Market 107-44 Filed 07/24/18 Page 1 of 2 Page ID 3364 Cc:

From: Williams, Eddrick

Sent: Mon 9/19/2016 12:18:23 AM

Subject: BLM Black Lives Matter.pdf

We've been playing around with the i2 Analysis notebook, just trying to see how to make it Real Time effective. Attended a Data Analysis including Predictive Policing and Social Media in Investigations, in Nashville, TN and learned some new ways to use Accurint LE Plus with the i2 Analysis notebook. Working with the rep and president of the company to make the social media research better. Thought you might like this PDF that was created with the i2, its pain staking right now due to the fact that everything must be entered manually. I will update you when we get this monster off the ground.

Officer Eddrick Williams

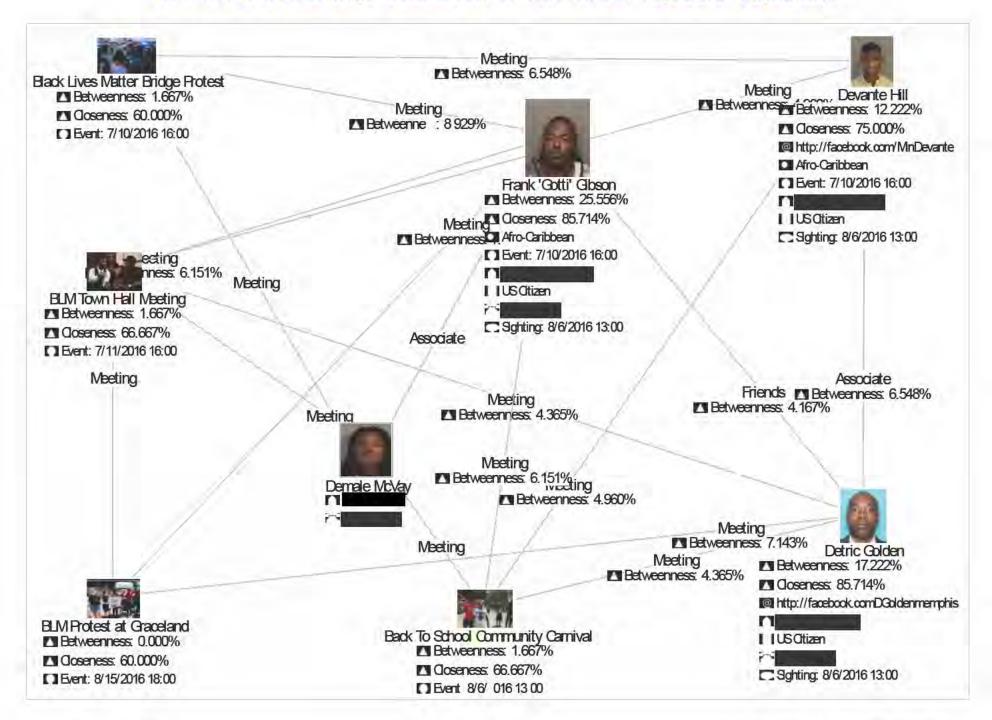
Memphis Police Department REAL TIME CRIME CENTER

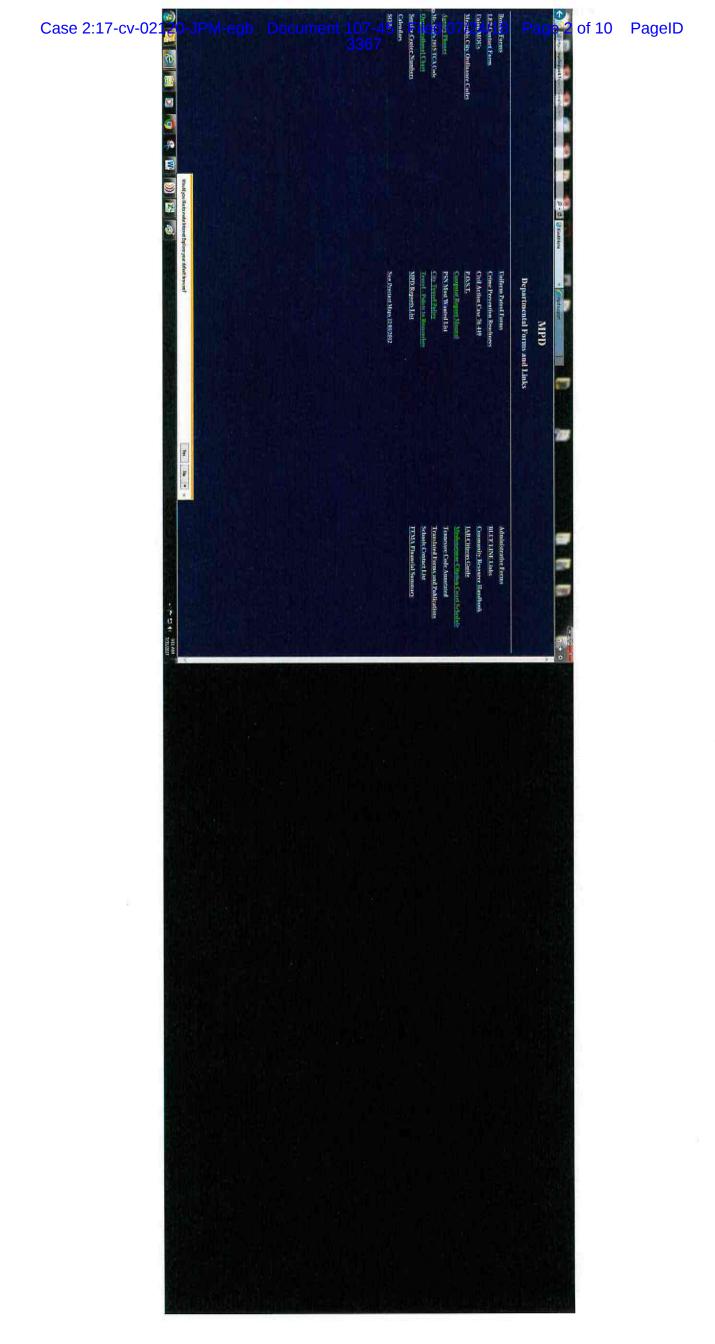
Main: (901) 636-7822 Desk: (901) 636-7845

E-Mail: Eddrick.williams@memphistn.gov

Community Outreach Program (C.O.P.) is a proactive initiative developed by the Memphis Police Department, to improve the quality of life of citizens and reduce juvenile violence, utilizing crime prevention techniques through identification, enforcement and education within the community.

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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

CHAN KENDRICK, ET AL.,

Plaintiffs,

VS

WYETH CHANDLER, et al.,

Defendants.

CIVIL ACTION NO. C 76-449

HATTED SEP JA STB

ORDER, JUDGMENT AND DECREE

Plaintiffs, Chan Kendrick, Mike Honey, and the American Civil Liberties Union in West Tennessee, Inc., having commenced this action on or about September 14, 1976, against defendants Wyeth Chandler, Mayor or the City of Memphis, W.J.O. Crumby; Chief of Police and Acting Director of Police of the City of Memphis, F. T. Ryan, Captain of the Intelligence Section of the Memphis Police Department, and George W. Hutchison, Deputy Chief of Operations of the Memphis Police Department; Individually and in their official capacities, and the court having determined by Order dated September 23, 1977 that the pleadings are sufficient to state a cognizable claim for relief, and the parties having waived hearing, findings of fact and conclusions of law, and defendants having donsented to entry without further notice of the within Order, Judgment and Decree (hereinafter "Decree"):

NOW, THEREFORE on application of Jack D. Novik, Esquire, American Civil Liberties Union Foundation, Bruce B. Kramar, Esquire, American Civil Liberties Union in West Tennessee, Inc., and Alex Hurder, attorneys for the plaintiffs, and upon consent of defendants, it is ORDERED, ADJUDGED and DECREED as follows:

A. Statement of General Principles

The defendants herein deny that they have acted illegally in any manner but agree to the term hereafter set out in order to dispose of the controversy between the parties.

The provisions of this Decree prohibit the defendants and the City of Memphis from engaging in law enforcement activities which interfere with any person's rights protected by the First Amendment to the United States Constitution including but not limited to, the rights to communicate an idea or belief, to speak and dissent freely, to write and to publish, and to associate privately and publicly for any lawful purpose.

Furthermore, even in connection with the investigation of criminal conduct, the defendants and the City of Memphis must appropriately limit all law enforcement activities so as not to infringe on any person's First Amendment rights.

B. Definitions

- 1. "First Amendment rights" means rights protested by the First Amendment to the Constitution of the United States including, but not limited to, the rights to communicate an idea or belief, to speak and dissent freely, to write and to publish, and to associate privately and publicly for any lawful purpose.
- 2. The "City of Memphis" means all present and future officials, employees and any other agents, and all departments divisions and any other agencies, of the City of Memphis, Tennessee.
 - 3. "Person" means any individual, group or organization.
- 4. "Political Intelligence" means the gathering, indexing, filing, maintenance, atorage or dissemination of information, or any other investigative activity, relating to any person's beliefs, opinions, associations of other exercise of First Amendment rights.

- 5. "Defendants" means defendants Chandler, Crumby, Ryan and Hutchinson and their successors in office.
 - C. Political Intelligence
- The defendants and the City of Memphis shall not engage in political intelligence.
- 2. The defendants and the City of Memphis Bhall not operate or maintain any office; division, bureau or any other unit for the purpose of engaging in political intelligence.
 - D. Prohibition Against Electronic Surveillance for Political Intelligence

The defendants and the City of Memphis shall not intercept, record, transcribe or otherwise interfere with any communication by means of electronic surveillance for the purpose of political intelligence.

E. Prohibition Against Covert Surveillance for Political Intelligence

The defendants and the City of Memphis shall not recruit, solicit, place, maintain or employ an informant for political intelligence; nor shall any officer, employee or agent of the City of Memphis, for the purpose of political intelligence, infiltrate or pose as a member of any group or organization exercising First Amendment rights.

- r. Harasament and Intimidation Prohibited
- 1. The defendants and the City of Memphis shall not disrupt, discredit, interfere with or otherwise harass any person exercising First Amendment rights. Among other things, the City of Memphis shall not disseminate damaging, derogatory, false or anonymous information about any person for the purpose of political intelligence, or attempt to provoke disagreement, dissention or violence between persons.
- 2. The defendants and the City of Memohis shall not engage in any action for the purpose of, or reasonably having the effect of, deterring any person from exercising First

Amendment rights. As an example, the City of Memphis shall not, at any lawful meeting or demonstration, for the purpose of chilling the exercise of First Amendment rights or for the purpose of maintaining a record, record the name of or photograph any person in attendance, or record the automobile license plate numbers of any person in attendance.

- G. <u>Criminal Investigations Which May Interfere With</u> the Exercise of First Amendment Rights
- 1. Any police officer conducting or superwising a lawful investigation of oriminal conduct which investigation way 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 for review and authorization.
- 2. The Director of Police shall review the factual basis for the investigation and the investigative techniques to be employed. The Director of Police shall issue a written authorization for an investigation for a period not to exceed ninety (90) days only if the Director of Police makes written findings that:
 - a provisions of this Decree; and
 - b. the expected collection of information about;
 or interference with, First Amendment rights
 is unavoidably necessary for the proper
 conduct of the investigation; and
 - c. Every reasonable precaution has been employed to minimize the collection of information about, or interference with, First Amendment rights; and

- d. the investigation employs the least intrusive technique necessary to obtain the information.
- 3. The Director of Police may authorize an extension of such investigation for an additional period specified by the Director of Police not to exceed ninety (90) days. The Director of Police shall authorize each such extention only if the Director of Police re-evaluates the factual basis for the investigation and the investigative techniques to be employed, and makes current written findings as required in Paragraph 2, above.
 - H. Maintenance and Dissemination of Information
- 1. The defendants and the City of Memphis shall not maintain personal information about any person unless it is collected in the course of a lawful investigation of driminal conduct and is relevant to such investigation.

 Information which has been collected in violation of this because shall be destroyed.
- The defendants and the City of Memphis shall not disseminate personal information about any person collected in the course of a lawful investigation of criminal conduct to any other person, except that such information may be disseminated to another governmental law enforcement agency then engaged in a lawful investigation of criminal conduct.
 - I. Restriction on Joint Operations

The defendants and the City of Memphis shall not encourage, cooperate with, delegate, employ or contract with, or act at the beheat of, any local, state, federal or private agency, or any parson, to plan or conduct any investigation, activity or conduct prohibited by this Decree.

J. Dissemination and Posting of this Decree

The defendants and the City of Memphis shall camiliarize each of its law enforcement personnel with the contents of

this Decree in the same manner in which those personnel are instructed about other rules of conduct governing such personnel. In addition, defendants and the City of Memphis shall disseminate and make known the contents of this Decree through publication, public posting and other means.

K. Effective Date

This Decree shall be effective when approved and entered by the Court as fair, reasonable and adequate

L. Binding Effect

This Decree, providing prospective relief only, constitutes a full and final adjudication of all the named plaintiffs claims for injunctive and affirmative relief as stated in the Complaint. However, it shall have no binding effect upon any claims for damages that have been, might have been, or might in the future, be asserted by any other individual. Any statutes of limitations that apply to any such claims are hereby tolled from September 14, 1976 to the date of this Decree.

M. Retention of Jurisdiction

The Court will retain jurisdiction of this action, including any issue which might arise regarding payment of attorneys' fees to counsel for plaintiffs, pending disposition of all matters contained in this Decree and for the purpose of issuing any additional order required to effectuate this

SO ORDERED.

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From: Brownlee, Louis [Louis.Brownlee@memphistn.gov]

Sent: 2/20/2017 12:19:02 PM

To: Reynolds, Timothy-mem [timothy.reynolds@memphistn.gov]

Subject: FW: DR 138 POLITICAL INTELLIGENCE

Attachments: Civil Case 76-449.pdf

From: Brownlee, Louis

Sent: Monday, February 20, 2017 12:17 PM

To: Rallings, Director Michael

Cc: MEM MPD Public Information Office; Saleem, Zayid-mem

Subject: DR 138 POLITICAL INTELLIGENCE

Attached is the decree.

DR 138 POLITICAL INTELLIGENCE

The Memphis Police Department and the City of Memphis do not engage in political intelligence. No member shall intercept, record, transcribe or otherwise interfere with any communications by means of electronic or covert surveillance for the purpose of political intelligence gathering.

No member shall engage in any action or disseminate damaging, derogatory, false or anonymous information about any person which will deprive any individual of their First Amendment Rights; nor will any member encourage, cooperate with, or contract with any local, state, federal or private agency to plan or conduct any investigation involving political intelligence.

Any member conducting or supervising a lawful investigation of criminal conduct (governed by 28 CFR Part 23*) in which the investigation may 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 information to the attention of the Director of Police Services for review and authorization. If approved, the investigation will not exceed more than ninety (90) calendar days. An extension may be granted by the Director for an additional ninety (90) days if necessary.

The regulations for this DR are in accordance with the judgment and decree for Civil Case 76-449 (which can be found on the opening page of the MPD Kiosk website).

* The fundamental principles found in 28 CFR Part 23 operating policies provide law enforcement with the guidance needed to operate criminal intelligence information systems effectively while safeguarding privacy and civil liberties. The Memphis Police Department will operate within the confines of 28 CFR Part 23.

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSES WESTERN DIVISION

CHAN KENDRICK, ET AL., Plaintiffs,

Defendants.

CIVIL ACTION NO. C 76-449

io. c. 76-1449

ORDER, JUDGMENT AND DECREE

Plaintiffs, Chan Kendrick, Mike Honey, and the american Civil Liberties Union in West Tempesses. Inc., heaving commenced this action on or about September 14. 1976, against defendants wyeth Chandler, Mayor or the City of Memphis, W. O. Crumby, Chief of Police and Acting Director of Police of the City of Memphis, P. T. Ryan, Captain of the Intelligence Section of the Memphis Police Department, and George W. Hutchison, Deputy Chief of Operations of the Memphis Police Department, individually and in their official capacities, and the court having determined by Order dated September 23, 1977 that the pleadings are sufficient to state a cognizable claim for relief, and the parties having waived hearing, findings of fact and conclusions of law, and defendants having consented to entry without further notice of the within Order, Judgment, and Decree (hereinafter "Decree"):

NOW, THEREFORE on application of Jack D. Novik, Esquire,
American Civil Liberties Union Poundation, Bruce S. Kramary,
Esquire, American Civil Liberties Union in West Tannesses,
Inc., and Alex Hurder, attorneys for the plaintiffs, and upon
consent of defendants, it is ORDERED, ADJUDGED and DECREED
as follows:

A. Statement of General Principles

The defendants herein deny that they have acted illegally in any manner but agree to the term hereafter set out in order to dispose of the controversy between the parties.

The provisions of this Decree prohibit the defendants and the City of Memphis from engaging in law enforcement activities which interfers with any person's rights producted by the First Amendment to the United States Constitution including but not limited to, the rights to communicate an idea or belief, to speak and dissent freely, to write and to publish and to associate privately and publicly for any lawful purpose.

Furthermore, even in connection with the investigation of criminal conduct, the defendants and the City of Memphis must appropriately limit all law enforcement activities so as not to infringe on any person's First Amendment cliques.

B. Definitions

- 1. "First Amendment rights" means rights protected by the First Amendment to the Constitution of the United States including, but not limited to, the rights to communicate an idea or belief, to speak and dissent freely, to write and to publish, and to associate privately and publicly for any lewful purpose.
- 2. The "City of Memphis" means all present and Future officials, employees and any other agents, and all departments, divisions and any other agencies, of the City of Memphis, Tennessee.
 - 3. "Person" means any individual, group or organization.
- 4. "Political Intelligence" means the gathering, indexing, filing, maintenance, storage or dissemination of information, or any other investigative activity, relating to any person's beliefs, opinions, associations of other lateral exercise of First Amendment rights.

- 5. "Defendants" means defendants Chandler, Grumby.
 Ryan and Hutchinson and their successors in office.
 - C. Political Intelligence
- 1. The defendants and the City of Memphis shall not engage in political intelligence.
- 2. The defendante and the City of Memphis shall not operate or maintain any office, division, buteau or any other unit for the purpose of engaging in political intelligence.
 - b) Prohibition Against Electronic Surveillance for Political Intelligence

The defendants and the City of Memphis shall not intercept, record, transcribe or otherwise interfere with any communication by means of electronic surveillance for the purpose of political intelligence.

E. Prohibition Against Covert Surveillance for Folitical Intelligence

The defendants and the City of Memphis shall not recruit, solicit, place, maintain or employ an informant for political intelligence; nor shall any officer, employee or agent of the City of Memphis, for the purpose of political intelligence, infiltrate or pose as a member of any group or organization exercising first Amendment rights.

- F. Harasament and Intimidation Prohibited
- 1. The defendants and the City of Memphis shall not disrupt, discredit, interfere with or otherwise harass any person exercising First Amendment rights. Among other things, the City of Memphis shall not disseminate damaging, derogatory, false or anonymous information about any person for the purpose of political intelligence, or attempt to provoke disagreement, dissention or violence between persons.
- 2. The defendants and the City of Memphis absil not engage in any action for the purpose of, or reasonably having the effect of, deterring any person from exercising first

Amendment rights. As an example, the City of Memphis shall not, at any lawful meeting or demonstration, for the purpose of chilling the exercise of Pirst Amendment rights or for the purpose of maintaining a record, record the name of or photograph any person in attendance, or record the automobile litense plate numbers of any person in attendance.

- G. Criminal Investigations Which May Interfere With the Exercise of First Amendment Bights
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- 2. The Director of Police shall review the factual basis for the investigation and the investigative techniques to be employed. The Director of Police shall issue a written authorization for an investigation for a period not to exceed minety (90) days only if the Director of Rollce makes written findings that:
 - a. The investigation does not violate the provisions of this Decree, and
 - b. the expected collection of information about, or interference with, First Amendment rights:

 is unavoidably necessary for the proper conduct of the investigation; and
 - c. Every reasonable precaution has been employed to minimize the collection of information about, or interference with, First Amendment rights, and

- d. the investigation employs the least intrusive technique necessary to obtain the information.
- 3. The Director of Police may authorize an extension of such investigation for an additional period specified by the Director of Police not to exceed ninety (90) days. The Director of Police shall authorize each such extention only if the Director of Police re-evaluates the factual basis for the investigation and the investigative techniques to be employed, and makes current written findings as required in Paragraph 2, above.
 - H. Maintenance and Dissemination of Information
- 1. The defendants and the City of Memphis shall not maintain personal information about any person unless it is collected in the course of a lawful investigation of criminal conduct and is relevant to such investigation.

 Information which has been collected in violation of this Decree shall be destroyed.
- The defendants and the City of Memphia shall not disseminate personal information about any person delicated in the course of a lawful investigation of criminal conduct to any other person, except that such information may be disseminated to another governmental law enforcement agency then engaged in a lawful investigation of criminal conduct.
 - I. Restriction on Joint Operations

The defendants and the City of Memphis shall not encourage, cooperate with, delegate, employ or contract with, or act at the behest of, any local, state, Iederal or private agency, or any person, to plan or conduct any investigation, activity or conduct prohibited by this Decree.

J. Dissemination and Posting of this Decree

The defendants and the City of Memphis shall familiarize each of its law enforcement personnel with the contents of

this Decree in the same manner in which those personnel are instructed about other rules of conduct governing such personnel. In addition, defendants and the City of Membhis shall disseminate and make known the contents of this Decree through publication, public posting and other means.

K. Effective Date

This Decree shall be effective when approved and entered by the Court as fair, reasonable and adequate

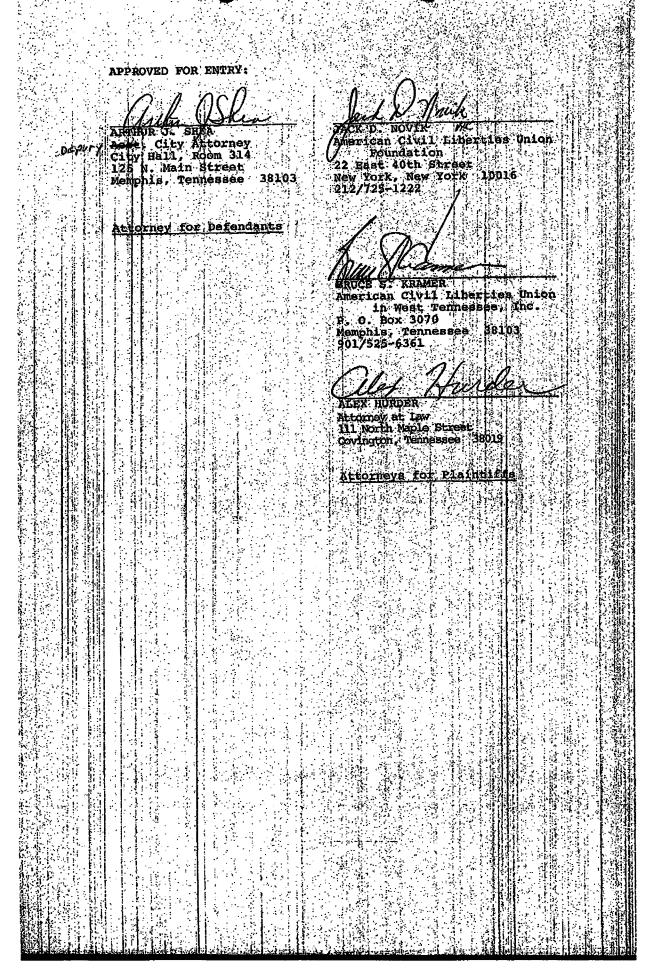
L. Binding Effect

This Decree, providing prospective relief only, constitutes a full and final adjudication of all the named plaintiffs claims for injunctive and affirmative relief as stated in the Complaint. However, it shall have no binding effect upon any claims for damages that have been might have been, or might in the future, be asserted by any other individual. Any statutes of limitations that apply to any such claims are hereby tolled from September 14, 1976 to the date of this Decree.

M. Retention of Jurisdiction

The Court will retain jurisdiction of this action, including any issue which might arise regarding payment of attorneys fees to counsel for plaintiffs, pending disposition of all matters contained in this Decree and for the purpose of issuing any additional order required to effect that this Decree.

SO ORDERED.



From:

Reynolds, Timothy-mem [/O=MEMPHIS/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=TREYNOLDS]

Sent:

2/20/2017 12:19:56 PM

To:

Brownlee, Louis (louis.brownlee@memphistn.gov)

Subject:

RE: DR 138 POLITICAL INTELLIGENCE

Thank you so much.

From: Brownlee, Louis

Sent: Monday, February 20, 2017 12:19 PM

To: Reynolds, Timothy-mem

Subject: FW: DR 138 POLITICAL INTELLIGENCE

From: Brownlee, Louis

Sent: Monday, February 20, 2017 12:17 PM

To: Rallings, Director Michael

Cc: MEM MPD Public Information Office; Saleem, Zayid-mem

Subject: DR 138 POLITICAL INTELLIGENCE

Attached is the decree.

DR 138 POLITICAL INTELLIGENCE

The Memphis Police Department and the City of Memphis do not engage in political intelligence. No member shall intercept, record, transcribe or otherwise interfere with any communications by means of electronic or covert surveillance for the purpose of political intelligence gathering.

No member shall engage in any action or disseminate damaging, derogatory, false or anonymous information about any person which will deprive any individual of their First Amendment Rights; nor will any member encourage, cooperate with, or contract with any local, state, federal or private agency to plan or conduct any investigation involving political intelligence.

Any member conducting or supervising a lawful investigation of criminal conduct (governed by 28 CFR Part 23*) in which the investigation may 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 information to the attention of the Director of Police Services for review and authorization. If approved, the investigation will not exceed more than ninety (90) calendar days. An extension may be granted by the Director for an additional ninety (90) days if necessary.

The regulations for this DR are in accordance with the judgment and decree for Civil Case 76-449 (which can be found on the opening page of the MPD Kiosk website).

* The fundamental principles found in 28 CFR Part 23 operating policies provide law enforcement with the guidance needed to operate criminal intelligence information systems effectively while safeguarding privacy and civil liberties. The Memphis Police Department will operate within the confines of 28 CFR Part 23.

Case 2:17-cv-02120-JPM-egb Document 107-47 Filed 07/24/18 Page 1 of 8 PageID 3385

From: Bass, Major Eddie [Eddie.Bass@memphistn.gov]

Sent: 7/13/2016 12:12:15 PM

To: Chandler, Stephen [stephen.chandler@memphistn.gov]

CC: Reynolds, Timothy [timothy.reynolds@memphistn.gov]; Penny, Phillip [phillip.penny@memphistn.gov]

Subject: FW: NMS: 07-13-2016 Commercial Appeal BLM Protest - Update 1120Hrs.

Attachments: image1.JPG; image2.JPG

From: Watson, Major Keith

Sent: Wednesday, July 13, 2016 12:11 PM

To: MEM MPD Executive Staff; MEM MPD Command Staff

Cc: MEM MPD Colonels; MEM MPD Lt. Colonels

Subject: Re: NMS: 07-13-2016 Commercial Appeal BLM Protest - Update 1120Hrs.

Stewart's Father just arrived at the commercial appeal site:





Crowd with media is approaching 35-40 people.

Thank You,

Keith D. Watson
Acting-Lieutenant Colonel
Memphis Police Department
Uniform Patrol Division II | North Main Station
444 North Main | Memphis, TN 38105

Office: 901.636.4099 Mobile: 901.609.9892

email: keith.watson@memphistn.gov

Community Outreach Program (C.O.P), a proactive initiative developed by the Memphis Police Department, to improve the quality of life of citizens and reduce juvenile violence, utilizing crime prevention techniques through identification, enforcement and education within the community.

On Jul 13, 2016, at 11:46 AM, Watson, Major Keith < Keith. Watson@memphistn.gov > wrote:

All,

Currently NMS and Crump personnel are staged and positioned in response to the 1200 noon "BLM" announced protest at 495 Union Ave. We have Crump MFF staged at Beale and Fourth St. (EDU) and OAS Taskforce on standby. NMS Uniformed TF and Ward cars are on the scene and perimeters.

495 Union:

1140Hrs. suspicious M/B, Gold SUV TN wearing black panther clothing is parked / standing in the area. Stated more people are coming and I'm waiting on a VIP. (Beale @ Orleans.)

EXHIBIT SS

Additional information on this subject, currently the Family/Lawyers of the Darrius Stewart Case at Second @ Adams announcing the lawsuit they have filed against the City of Memphis. (Photos Attached)

<image005.jpg> <image006.jpg>

Thank You,

Keith D. Watson Acting-Lieutenant Colonel Memphis Police Department Uniform Patrol Division II| North Main Station 444 North Main | Memphis, TN 38105

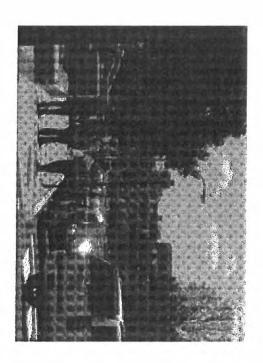
Office: <u>901.636.4099</u> Mobile: <u>901.609.9892</u>

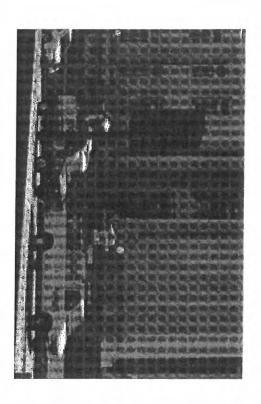
email: keith.watson@memphistn.gov

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<OPORD - Commercial Appeal 07-13-16 NMS & District II MFF.PDF>
<07-13-2016 Commercial Appeal BLM Overlays.pdf>
<IMG_4566.jpg>





From: Bass, Major Eddie [Eddie.Bass@memphistn.gov]

Sent: 7/13/2016 12:56:49 PM

To: Watson, Major Keith [keith.watson@memphistn.gov]
CC: Chandler, Stephen [stephen.chandler@memphistn.gov]

Subject: RE: NMS: 07-13-2016 Commercial Appeal BLM Protest - Update 1222Hrs.

Thank you Major Watson.

From: Watson, Major Keith

Sent: Wednesday, July 13, 2016 12:53 PM

To: MEM MPD Executive Staff; MEM MPD Command Staff

Cc: MEM MPD Colonels; MEM MPD Lt. Colonels

Subject: Re: NMS: 07-13-2016 Commercial Appeal BLM Protest - Update 1222Hrs.

1248Hrs.

Protesters are conducting a second announcement. Still peaceful and orderly. At this time I am not allowing any additions to the crowd. We have designated a second site directly across the street for late arrivals.







Thank You,

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email: keith.watson@memphistn.gov

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On Jul 13, 2016, at 12:31 PM, Watson, Major Keith < Keith. Watson@memphistn.gov > wrote:

The TNT guy is here in the crowd:



Thank You,

Keith D. Watson
Acting-Lieutenant Colonel
Memphis Police Department
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444 North Main | Memphis, TN 38105

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email: keith.watson@memphistn.gov

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On Jul 13, 2016, at 12:23 PM, Watson, Major Keith < Keith. Watson@memphistn.gov > wrote:

The media has positioned a speakers mic and it appears that a press release or something will occur. I'm being told that Stewarts father will speak at some point.



Thank You,

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495 Union:

1140Hrs. suspicious M/B, Gold SUV TN | wearing black panther clothing is parked / standing in the area. Stated more people are coming and I'm waiting on a VIP. (Beale @ Orleans.)

Additional information on this subject, currently the Family/Lawyers of the Darrius Stewart Case at Second @ Adams announcing the lawsuit they have filed against the City of Memphis. (Photos Attached)

<image005.jpg> <image006.jpg>

Thank You,

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email: keith.watson@memphistn.gov

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<OPORD - Commercial Appeal 07-13-16 NMS &
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Overlays.pdf>
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