

City of Memphis
Police Division, Inspectional Services Bureau
Case Summary I2014-060

Printed On: 7/14/2014

Exhibit E

I) Principal Officer:

SERGEANT B Bradley #2305 Domestic Violence Squad

II) Administrative Regulation:

DR 120 Neglect of Duty
DR 109 Impartial Attitude

III) Allegation:

D'Audrey Byrd alleged that Sergeant Barnabus Bradley showed partiality by taking a report from her ex-boyfriend, Darrein Johnson. Sergeant Bradley is the boyfriend of Darrein Johnson's mother, Sergeant Frankie Johnson-Lanton. It is alleged that Sergeant Bradley did not thoroughly investigate the complaint by Mr. Johnson; subsequently, leading to the arrest of Ms. Byrd.

IV) Background:

On May 27, 2014, an Aggravated Assault / Domestic Violence Report was generated by Sergeant Bradley listing Mr. Johnson as the victim, and Ms. Byrd as the suspect. Per the report, the alleged assault occurred on May 26, 2014, at 7:30 p.m., at the intersection of White Station and Quince. Ms. Byrd struck the rear passenger side of Mr. Johnson's vehicle with the front of her vehicle twice. Mr. Johnson then fled, driving to a police station while being followed by Ms. Byrd. At the police station, Ms. Byrd drove away in an unknown direction. After completing the report, Sergeant Bradley assisted Mr. Johnson in obtaining an arrest warrant for Ms. Byrd. Mr. Johnson was the affiant, and Sergeant Bradley was the co-affiant on the warrant affidavit which was approved by Judicial Commissioner Michael Cross. Ms. Byrd was arrested for the warrant on May 29, 2014.

V) Evidentiary Findings:

A) Statements:

Civilian Complainant Summary of D'Audrey Byrd: Ms. Byrd stated she felt there was a conflict of interest by Sergeant Bradley taking a police report from her ex-boyfriend, Darrein Johnson due to Sergeant Bradley personally knowing both her and Darrein. She has known Sergeant Bradley about four years because he is dating

VII) Analysis:

During the course of this investigation, it was discovered that Sergeant Bradley completed an aggravated assault / domestic violence report (1405017616ME) for the son of his long term girlfriend, Memphis Police Sergeant Frankie Johnson Lanton. During Sergeant Bradley's investigation of Mr. Johnson's complaint, he failed to follow directives, goals, rules, guidelines, and duties as outlined in the Memphis Police Department's Policy and Procedure Manual, and the Investigative Services Standard Operating Procedures Manual (SOP).

NOTE: A copy of the Investigative Services/General Investigative Services Bureau Standard Operating Procedure Manual including Appendix A, Domestic Violence Bureau was placed in the case file for reference.

During his investigation, Sergeant Bradley failed to identify elements of the crime by not documenting Mr. Johnson's injuries, or why the crime was committed. He failed to interrogate Ms. Byrd, the individual identified as being responsible for the crime, to obtain additional information about the crime and the events leading to the crime. Per Sergeant Bradley's case file supplement, he never attempted to contact Ms. Byrd.

Per Sergeant Bradley's own admission, he failed to utilize available databases to search for any prior domestic history between Mr. Johnson and Ms. Byrd. He failed to obtain a supervisors approval for the arrest warrant prior to taking it before the Judicial Commissioner.

Furthermore, Sergeant Bradley failed to confirm or disprove that Ms. Byrd was responsible for the criminal act of aggravated assault /domestic violence. He did not compile a comprehensive and factual case to present to the Judicial Commissioner. By Sergeant Bradley's own admission, his probable cause for obtaining the warrant was Mr. Johnson being the affiant to the warrant and the damage to Mr. Johnson's vehicle.

During this investigation, the ISB Investigator made numerous attempts to make telephone contact with Mr. Johnson. Several voice messages were left for him; however, none of the telephone calls were returned. Therefore, the ISB Investigator was not able to obtain any information from Darrein Johnson regarding this case file.

The primary issue related to this investigation centers upon the actions of Sergeant Bradley and whether his actions transcend the standards of the Memphis Police Department. These standards are established in the Memphis Police Department's DR-120 Neglect of Duty, and DR-109 Impartial Attitude.

Sergeant Bradley failed to implement policy, goals, regulations and directives of the Memphis Police Department by not conducting a complete and comprehensive investigation. This places him in violation of DR-120 Neglect of Duty, which states:

DR 120 NEGLECT OF DUTY

A. Each member, because of his or her rank and assignment, is required to perform certain duties and assume certain responsibilities. Failure to properly function in these areas constitutes neglect of duty. This regulation prohibits any omission or failure to act by any member of the Department, whether on-duty or off-duty, when such action is required by the stated policy, goals, rules, regulations, orders, and directives of this Department. It applies to any member who, through carelessness, inefficiency, or design, fails to implement the policy, goals, rules, regulations, orders, training, and directives of this Department.

B. A member with supervisory responsibility is required to properly supervise their subordinates in compliance with the above, and the failure of any supervisor to do so through deliberateness, carelessness, neglect, or inefficiency shall be a violation.

Discretion is the power of free decision, or latitude of choice within certain legal bounds. Discretion shall be based on the totality of the circumstances and applied consistently. Consistent and wise use of discretion will do much to preserve good relationships and retain the confidence of the public. On the contrary, when discretionary power is poorly exercised, the actions may be viewed by the public as favoritism, bias or corruption. In addition part of the Memphis Police Department's role is to enforce law in a fair and impartial manner.

Several Domestic Violence Bureau cases that were investigated by Sergeant Bradley were viewed to determine if he is consistent in what information is included in his case files. The following cases were reviewed: 1311009803ME, 1309009187ME, 1309008937ME, 1404005854ME, 1406008840ME, 1404005120ME, 1403000345ME, 1402012445ME, 1312004137ME and 1403015400ME.

After reviewing the aforementioned cases, it was found that the investigations conducted by Sergeant Bradley contained necessary information such as photographs of the victim's injuries, documenting the victim's injuries in his report narratives and supplements, documenting in his report narratives and supplements when injuries are not observed, documenting prior domestic violence history between victims and suspects to include report numbers, and handwritten victim's statement. He failed to include basic and necessary investigative information regarding Mr. Johnson's case file. The aforementioned combined with his social relationship to Mr. Johnson indicates Sergeant Bradley conducted an investigation favorable to Mr. Johnson. This places Sergeant Bradley in violation of DR-109 Impartial Attitude which states:

DR 109 IMPARTIAL ATTITUDE

A member shall at all times consider it his or her duty to be of service to anyone in danger or distress and shall neither discriminate against nor show partiality for any person because of race, sex, religion, friendship, fraternal or social affiliations, or for any

reason.

Inspectional Services Bureau
3014-060

VIII) Conclusion

Based on the findings of this investigation, the alleged violation of DR-120 Neglect of Duty against Sergeant Barnabus Bradley #2305 is **SUSTAINED**.

Based on the findings of this investigation, the alleged violation of DR-109 Impartial Attitude against Sergeant Barnabus Bradley #2305 is **SUSTAINED**.

IV) Background:

On May 27, 2014, an Aggravated Assault/Drive-By was reported by Sergeant Bradley listing Mr. Johnson as the victim. The report stated that for the report, the alleged assault occurred on May 26, 2014, at the intersection of White Station and Center. Ms. Byrd struck the rear of Mr. Johnson's vehicle with the front of her vehicle twice. Mr. Johnson was injured and transported to a hospital. The vehicle was followed by Ms. Byrd. After the police arrived, the vehicle was towed away in an unmarked location. After completing the report, Sergeant Bradley issued Mr. Johnson a warrant for arrest. Sergeant Bradley was the contributor on the warrant affidavit which was approved by Sergeant Commander Michael Cross. Ms. Byrd was arrested by the warrant on May 29, 2014.

V) Investigation:

A) Interviews:

Interviewed Complainant Secretary of D'Andrey Byrd: Ms. Byrd stated she felt there were signs of interest by Sergeant Bradley taking a police report from her ex-boyfriend, Sergeant Johnson due to Sergeant Bradley personally knowing both her and Johnson. She also knew Sergeant Bradley about four years because he is dating