

# **EXHIBIT H**

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

---

ACLU of TENNESSEE, INC.,	)	
	)	No. 2:17-cv-02120-jpm-DKV
Intervenor-Plaintiff,	)	
	)	
	)	
v.	)	
	)	
THE CITY OF MEMPHIS,	)	
	)	
Defendant.	)	
	)	
	)	

---

**AFFIDAVIT OF DIRECTOR MICHAEL RALLINGS**

STATE OF TENNESSEE

COUNTY OF SHELBY

SWORN AFFIDAVIT OF MICHAEL RALLINGS

1. My name is Michael Rallings. I am an adult resident citizen of Shelby County, Tennessee. I am over the age of 21, and I am competent to testify in this matter.
2. The facts in this affidavit are based on my personal knowledge.
3. I am the Director of the Memphis Police Department ("MPD")
4. I was commissioned as a Memphis Police Officer in 1990. I have been employed with the City of Memphis Police Department for approximately 29 years.
5. In 2016, I was appointed interim director of MPD, and then permanent director approximately 6 months later.

6. As Director of MPD, I am responsible for providing public safety to the city of Memphis.

7. I am also responsible for over 2,000 officers in my charge.

8. MPD has worked closely with state, local, and federal agencies to provide safety to the region for decades.

9. Regarding federal agencies, MPD works with the Federal Bureau of Investigation ("FBI"), Department of Justice ("DOJ"), Joint Terrorism Task Force ("JTTF"), and the Drug Enforcement Agency ("DEA"), among others, on a regular basis.

10. MPD also routinely receives intelligence from the Tennessee Fusion Center, as well as other states' law enforcement agencies.

11. Memphis is home to a JTTF, which is an ongoing joint operation between MPD, FBI, Shelby County Sheriff's Department, the Department of Homeland Security, Immigration and Customs Enforcement, and the Transportation Security Administration. The JTTF allows these law enforcement agencies to share intelligence seamlessly and to cooperate with each other more effectively.

12. If MPD cannot share and receive information freely with these federal law enforcement agencies, that will effectively end MPD's participation in the JTTF.

13. If MPD is not able to participate in the JTTF, or is unable to receive intelligence from the Tennessee Fusion Center, FBI, Department of Homeland Security, Shelby County Sheriff's Department, and other states' law enforcement agencies, the safety of the greater Memphis region will be at risk.

14. MPD also participates in the Multi-Agency Gang Unit ("MGU"). The MGU was formed in 2011, and is a group of elite members of MPD, Shelby County Sheriff's Office Narcotics Division, ATF, FBI, and the U.S. Marshals. MGU's purpose is to conduct long term investigations

on criminal gangs and to dismantle gang organizations

15. MGU has been very successful at fighting gangs in Memphis. In June 2019, a federal jury found five members of the Conservative Vice Lords Concrete Cartel criminal gang guilty of conspiracy to participate in racketeering activities, multiple armed pharmacy robberies, and drug trafficking conspiracy.

16. One of the defendants was a Tennessee statewide gang leader and another was a citywide gang leader. The remaining defendants were branch leaders in the organization, claiming areas in East Memphis, Orange Mound, and Whitehaven. This federal prosecution and guilty verdict was the result of an extensive investigation which began in 2015 by FBI's Safe Streets Task Force and the MGU.

17. MGU has been instrumental in the implementation of several "gang injunctions." In September 2013, as the direct result of MGU investigations into reports of criminal gang activity in the Riverside area of South Memphis, the Shelby County District Attorney's Office filed the first nuisance petition against the "Riverside Rollin' 90's Neighborhood Crips" ("R90"). In response to the petition, General Sessions Court Judge Larry Potter issued an injunction against R90 members, creating a 4.6-square-mile "safety zone."

18. This process was followed three more times to obtain five more injunctions: (1) October 2014 against the "Dixie Homes Murda Gang/47 NHC" ("DHMG") in the North Main precinct; (2) December 2014 for two injunctions against the "FAM Mob" in two areas of the Old Allen precinct; and (3) January 2016 for injunctions against the "Grape Street Crips" (GSC) and "Vice Lords" (VL) in two overlapping areas of the Tillman Precinct.

19. In each instance, the gang was declared a "public nuisance," and members were required to abide by eleven requirements with respect to their behaviors in the safety zones, including that gang members are not permitted to associate with one another in public, other than



while attending school or church.

20. Without MPD's participation in the MGU, the MGU will no longer be able to function in the same manner due to the volume of MPD officers in the unit.

21. MPD also greatly relies on the intelligence it receives from the CrimeStoppers program. CrimeStoppers provides tipsters an avenue for their anonymous tips regarding unsolved felony crimes and fugitives wanted.

22. Without the tips from CrimeStoppers, it would be much more difficult for MPD to solve crime.

23. In fact, tips from CrimeStoppers have resulted in over 200 felony arrests in 2019 alone, resolving at least 135 cases. Without the intelligence from CrimeStoppers, these 135 cases would likely not be solved.

24. MPD also actively shares information and intelligence with the Shelby County Sherriff's Department which operates within the Shelby County Schools system.

25. The Shelby County Sheriff's Department provides security via its deputies within several local schools. Shelby County Sherriff's deputies often receive intelligence from students of potential gatherings that are planned that could end in violence.

26. MPD also receives anonymous tips from Shelby County Schools vis the Safe School Tips program. This service allows any parent, student, or employee to report information about illegal or inappropriate activities via text message anonymously anytime someone has a safety concern for herself or other students.

27. MPD also participates with Shelby County and CrimeStoppers in a program called "Trust Pays." Trust Pays offers a safe way for students to confidentially inform a school administrator of a serious incident and potentially receive a cash reward as a result.

28. If MPD is unable to receive and act on the intelligence received the Trust Pays

Program, the Safe School Tips Program, and from the Shelby County Deputies placed within the Shelby County Schools System, the safety of Memphis schoolchildren will be at greater risk.

FURTHER AFFIANT SAITH NOT.

  
MICHAEL RALLINGS

SUBSCRIBED AND SWORN TO  
before me on this the 25<sup>th</sup> day of  
September, 2019.

  
Notary Public

My Commission Expires:

April 26, 2020

