
Investigation of the Memphis Police Department and the City of Memphis

U.S. Department of Justice

Civil Rights Division and
United States Attorney's Office
Western District of Tennessee
Civil Division

December 4, 2024

EXECUTIVE SUMMARY

On July 27, 2023, the Department of Justice opened a pattern or practice investigation into the Memphis Police Department (MPD) and the City of Memphis (City). After an extensive investigation, the Department of Justice has reasonable cause to believe that MPD and the City engage in a pattern or practice of conduct that deprives people of their rights under the Constitution and federal law.

FINDINGS

- **MPD uses excessive force.**
- **MPD conducts unlawful stops, searches, and arrests.**
- **MPD unlawfully discriminates against Black people in its enforcement activities.**
- **The City and MPD unlawfully discriminate in their response to people with behavioral health disabilities.**

Memphis has relied on traffic stops to address violent crime. The police department has encouraged officers in specialized units, task forces, and patrol to prioritize street enforcement. Officers and community members have described this approach as “saturation,” or flooding neighborhoods with traffic stops. This strategy involves frequent contact with the public and gives wide discretion to officers, which requires close supervision and clear rules to direct officers’ activity. But MPD does not ensure that officers conduct themselves in a lawful manner.

MPD's traffic stops sometimes have tragic consequences. On January 7, 2023, officers in one of MPD's specialized units kicked, punched, tased, and pepper sprayed Tyre Nichols, a 29-year-old Black man, during a traffic stop. When officers caught up to Mr. Nichols, they beat him as he cried out for help and for his mother, who lived just a block away. Mr. Nichols died three days later.¹

Memphis police officers regularly violate the rights of the people they are sworn to serve. Our investigation found that officers use force to punish and retaliate against people who do not immediately do as they say. They rapidly escalate encounters, including traffic stops, and use excessive force even when people are already handcuffed or restrained. They resort to intimidation and threats. They have put themselves and others in harm's way—officers have unlawfully fired at moving cars and accidentally pepper sprayed and fired Tasers at each other.

The lack of supervision has also contributed to officers stopping and detaining large numbers of drivers for minor infractions without legal justification. In a city of about 630,000 people, MPD officers reported making 866,164 traffic stops between January 2018 and August 2023. The number of stops may be even greater. They cited or arrested drivers in at least 296,685 cases, predominantly for minor infractions.

These practices are intrusive and routinely violate the law. Prosecutors and judges told us that officers do not understand the constitutional limits on their authority. Officers stop and detain people without adequate justification, and they conduct invasive searches of people and cars. These practices undermine public safety. They erode trust in law enforcement and result in cases getting dismissed by courts or dropped by prosecutors.

Memphis is a majority-Black city, but Black people in Memphis disproportionately experience these violations. MPD has never assessed its practices for evidence of discrimination. We found that officers treat Black people more harshly than white people who engage in similar conduct. Racial disparities in Memphis are driven by the police department's unsupervised enforcement of low-level, discretionary offenses without proper review and controls. Other strategies, like improved violent crime investigations and community-based violence prevention programs, would more directly serve MPD's and the City's public safety mission without resulting in unnecessary disparities.

Each year, police officers in Memphis respond to thousands of calls involving behavioral health issues. Dispatchers code most of these calls as "nonviolent," but the City sends police officers anyway. While other cities have developed programs to send an appropriate response to behavioral health calls, Memphis has left the responsibility to

¹ In September 2023, the Department of Justice charged five MPD officers with federal crimes related to Tyre Nichols' death. Two officers pleaded guilty to civil rights and conspiracy charges. In October 2024, the other three officers were convicted of federal crimes after a four-week trial. The investigation described in this report is civil, not criminal. This report does not examine the circumstances of Mr. Nichols' death.

police. Memphis is widely known as the originator of the Crisis Intervention Team model, in which specially trained police officers respond to behavioral health calls. Yet while MPD officers handle some behavioral health calls properly, we identified many incidents in which officers—including officers on the Crisis Intervention Team—mistreated and used excessive force against people with behavioral health disabilities, including children. And just as MPD has not assessed its traffic enforcement practices for racial disparities or effectiveness, it has failed to regularly evaluate the Crisis Intervention Team program—despite evidence that the City’s police-only approach is leading to harmful and unnecessary interactions.

These violations have a corrosive effect on the Memphis community—including children, who have experienced aggressive and frightening encounters with officers. The pattern or practice of unlawful conduct in Memphis stems from systemic deficiencies in policies, training, supervision, and accountability.

The people of Memphis want the best for their City. MPD officers, call-takers, and dispatchers work hard every day to keep Memphians safe. During our investigation, we met officers who responded to high-risk calls and de-escalated tense encounters. The City and MPD cooperated with our investigation, and both Mayor Young and Chief Davis agree on the need for a more comprehensive approach to public safety, including strategies that have worked in other cities. MPD and the City can reduce violent crime and protect people’s rights. We look forward to working with the City, MPD, and the community to end the violations and implement durable remedies to ensure lawful public safety practices in Memphis.