

## BUNDLE OF COSTLY JOY

Report says the care and feeding of a baby into adulthood will run over \$245,000. **BUSINESS, 1C**

## CRUISE CONTROL

LED BY NICK KING AND SHAO GOODWIN, TIGERS CRUISE TO EXHIBITION WIN OVER MCGILL IN MONTREAL. **SPORTS, 1D**

# THE COMMERCIAL APPEAL



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\*\*\* \$1.00

### LAW ENFORCEMENT

## Police arsenals



AP PHOTOS/CHARLIE RIEDEL

Police launch tear gas from tactical vehicles (bottom) in Ferguson, Missouri, after warning a crowd of protesters that they were no longer peaceful. Protesters run from the tear gas (upper left) and police advance on the protesters (upper right).

### Bartlett police loaded up on 113 assault rifles through surplus equipment program

By Wendi C. Thomas  
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The federal surplus military equipment program that empowered Ferguson, Missouri, police to meet protesters with a paramilitary show of force also funneled a small arsenal to Shelby County law enforcement agencies.

Of the current inventory in the county, 75 percent of the equipment went to Bartlett police, according to the inventory records kept by state Law Enforcement Support Office, which administers the Defense Logistics Agency program.

For the cost of shipping, Bartlett received 113 assault rifles. The city has 116 commissioned officers.

While area police rarely, if ever, turn to their stash of LESO-supplied equipment to quell public protests, the program is under scrutiny following the Ferguson police response to crowds protesting the Aug. 9 shooting death of an unarmed black man.

See BARTLETT, 2A

### MILITARIZED EQUIPMENT FOR LOCAL POLICE

Law enforcement agencies in Shelby County received nearly 150 pieces of surplus military equipment through the federal Defense Logistics Agency program now under scrutiny following Ferguson, Missouri, police's militarized presence during recent protests.

Here's a tally of equipment by local agency and type.

- Memphis Police**  
Armored personnel carrier: 2  
Bridge erection boat: 2  
Assault rifle: 5
- Bartlett Police**  
Assault rifle: 113
- Shelby County Sheriff**  
Armored personnel carrier: 1  
Assault rifle: 7
- Millington Police**  
Assault rifle: 15  
Grenade launcher: 3

Germantown and Collierville do not have equipment through the DLA federal program. Arlington and Lakeland are patrolled by the sheriff's department.

Source: Law Enforcement Support Office, Tennessee Department of General Services

### Expert: Brown may have had his hands raised

From Our Press Services

FERGUSON, Mo. — Police and protesters clashed in this St. Louis suburb late Monday as new information surfaced about the shooting of an unarmed 18-year-old that has sparked a week of protests.

A pathologist hired by Michael Brown's family said Monday that he suffered a bullet wound to his right arm that may indicate his hands were up or his back was turned.

But the pathologist said the team that examined the teen can't be sure yet exactly how the wounds were inflicted, citing the need for more information.

Late Monday police fired stun grenades to disperse a large crowd that gathered. Protesters ignored officers who used bullhorns to order

See BROWN, 2A

## Wade: Sales tax is no-go

Referendum would miss ballot, attorney writes

By Kyle Veazey  
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A proposal to hold a referendum for a half-cent sales tax increase in the city of Memphis to help pay for city employee and retiree health care is essentially a nonstarter as written, City Council Atty. Allan Wade told members of that body Monday in a written opinion.

Wade's opinion says that the proposed ordinance comes too late to be placed on the November ballot, and even if it were timely, the specific allocation of its proceeds couldn't be approved until 2016.



Allan Wade

"I think it rules out a sales tax as a solution, an immediate solution, to the budgetary crisis that we're going through," said council chairman Jim Strickland, who along with council member Myron Lowery requested the opinion.

"Personally, I have doubted that the voters would have ever voted for it anyway. And personally, I was opposed to it."

Memphis Police Association president Mike Williams, a proponent of the plan, dismissed Wade's opinion.

"This is just another way of them dodging the bullet," Williams said.

Council member Janis Fullilove proposed the ordinance and it passed the council on first reading Aug. 5. Should it pass again on Aug. 19 and then Sept. 2, its third and final reading, it would then be on hold for 40 days to allow Shelby County an opportunity to pass a resolution for the same tax.

Wade said that means the city ordinance would not be effective until Oct. 12, which is past the time it can be placed on the Nov. 4 ballot, according to previous directives from state election officials.

Even then, the ordinance would encounter problems because it directs how the money will be spent, Wade said. Since that in-

See TAX, 2A

## Wanted: Qualified school bus drivers

New labor pact in hand, Durham pushes hiring for routes across Shelby

By Clay Bailey  
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As Durham School Services and its local drivers announced a new five-year contract Monday, the bus company continued a hiring push to fill routes across Shelby County, including the six new municipal systems.

Some new employees are need-

ed to replace out-of-town drivers who came to the area from as far away as Washington state to bridge the gap between the start of school and Durham's pursuit of qualified applicants for a full complement of drivers.

Molly Hart, manager of public relations and media for Durham, said the out-of-town drivers must return to their regular jobs as schools in their hometowns be-

gin to open across the country.

On Monday, Durham and Teamsters Local 984 announced they had reached an agreement over the weekend that increased the hourly pay for drivers and bus monitors to \$12. Under the old contract, bus drivers started at \$10.20 an hour, and drivers with 10 years of experience made \$14.50 an hour. Bus monitors made \$9.35 an hour.

The sides agreed to a 30-day extension of the previous contract two weeks ago to avoid a possible strike at the start of the school year.

"We would like to thank all parties involved in the negotiations over the past several months and applaud our drivers, monitors and staff for their continued focus on providing safe transportation to the students of Shelby County," the sides said in a statement.

Meanwhile, Durham's push to hire about 120 drivers comes as local school systems enter the third week of classes. The company opened a recruitment center Aug. 11 near Appling and Dexter — complete with a school bus adorned with a sign beckon-

ing potential drivers to apply.

Several school system websites are announcing openings for prospective drivers, directing them to Durham, and Hart said the company also will hold a job fair for drivers from 9 a.m. to 2 p.m. Saturday at the recruitment center.

Collierville oversees transportation services for the new municipal districts under a shared agreement among the six suburbs. Mike Simpson, chief of operations for Collierville

See DRIVERS, 2A

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**BUSINESS, 1C**

### SOLAR HITS BIRDS HARD

Birds over solar power farms can burst into flame. As the power source expands, so does the danger to birds.

**NEWS, 3A**

### GO REBS, BULLIES

After bowl wins last season, Ole Miss and Mississippi State fans hope for a repeat. The CA assesses their chances.

**SPORTS, 1D**



### U.S. AIDS KURD PUSH

U.S. airstrikes pave the way for Kurdish troops to retake a dam from Islamic militants and stop their advance.

**NEWS, 4A**

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7 49377 10040 0

**THE COMMERCIAL APPEAL**

(USPS 125420) (ISSN 0745-4856)  
 Periodical postage paid at Memphis, Tenn., and other offices.  
 Owned and published daily and Sunday by Memphis Publishing Co., 495 Union Ave., Memphis, TN 38103.



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**TAX from 1A**

volves the city charter, it would have to be approved by voters at the next general state election — November 2016.

Lullilove didn't return a message Monday.

Williams said he believes the council could approve the ordinance on third reading at a special called meeting in time for it to be placed on the ballot.

The sales tax proposal came as groups looked to find other ways to shore up

the city's pension fund. In a controversial 7-5 vote on June 17, the City Council voted to cut many subsidies to retiree health care and raise premiums for health insurance on current and retired employees. The savings went toward the pension fund.

Wade's opinion suggests that a better route to a referendum would be by petition. Wade wrote that state law allows referendums to be initiated by a petition of 10 percent of the total registered voters in Memphis — 30,355 of the city's 303,548 registered voters,

according to a recent Shelby County Election Commission report.

Should the City Council reject that petition for a half-cent tax increase or fail to act on it in 30 days, it would automatically go to a vote, Wade said.

"Considering the history of the last two City tax referenda, it appears to us that it is reasonable for the Council to conclude that it would prefer that the voters show some indication of a preference for a vote on the measure before the Council commits the City's already scarce re-

sources for such an election," Wade wrote.

"The proponents would ultimately have to get the votes anyway; so it is not unreasonable for them to get some of that support on the front end," Wade wrote.

Asked about a petition, Williams said, "We've already started that process."

"But why should we have to if the council can make it easier for the citizens of the city ... to let the citizens decide," Williams said. "They don't really want the citizens to decide. They're trying to make it difficult."

Under the proposed ordinance, the sales tax in Memphis would rise from 9.25 percent to 9.75 percent, the highest allowable under state law. An effort last fall for a similar increase to fund prekindergarten expansion and lower property taxes failed by a 60 percent to 40 percent margin.

Eighty percent of the funds in the current effort would go toward "employee and retiree insurance and pension fund," according to the ordinance, and 20 percent would go toward debt service.

**Prosecutor isn't impartial, black residents say**

**By David A. Lieb**  
 Associated Press



Bob McCulloch

**FERGUSON, Mo.** — The Missouri prosecutor overseeing an investigation into the fatal shooting of 18-year-old Michael Brown has deep family roots among police: his father, mother, brother, uncle and cousin all worked for St. Louis' police department, and his father was killed while responding to a call involving a black suspect.

The connections now are being cited by some local residents and black leaders who question whether St. Louis County Prosecuting Attorney Bob McCulloch can remain impartial. Brown, who was black, was fatally shot in the

St. Louis suburb of Ferguson on Aug. 9 by local police officer Darren Wilson, who is white.

Grand jurors may begin hearing the case Wednesday. The U.S. Justice Department is conducting a separate civil rights investigation.

McCulloch's spokesman, Ed Magee, said Monday that the prosecutor plans to remain in charge of the case, despite mounting pressure to step aside amid violent clashes between police and protesters demanding that Wilson be charged.

McCulloch, a Democrat who has

been in office since 1991, referenced his father's death in his initial campaign. He survived a Democratic primary earlier this month and faces no Republican opposition in his re-election bid.

Protesters questioned his objectivity when grand jurors returned no charges against two officers who fired 21 bullets into a vehicle in June 2000, killing two black men during an attempted drug arrest.

But at the time, McCulloch said his father's 1964 shooting by a black man at a public housing complex was an "incredibly irrelevant facet" as he sought to "make sure everybody gets a full and fair hearing." McCulloch was 12 when his father was killed.

In Ferguson, a predominantly black suburb of St. Louis, many residents say they have long been harassed and intimidated by the police department, which has just three black officers on its 53-member force. They also have little confidence in McCulloch.

"He's not going to prosecute the police officers," said Robert Fowler, a 48-year-old electrician. "In the ghetto ... every police officer, he's letting go free. They call it justifiable homicide."

McCulloch has not responded to Associated Press requests for an interview. But he recently told television station KMOV: "I've been as fair and impartial and done as thorough of a job as we could."

**BARTLETT from 1A**

In the days after Michael Brown's death, two armored Humvees, acquired through the LESO program, rolled through the streets of the St. Louis suburb, where police also used rubber bullets and tear gas to drive away protesters and looters.

As protests stretched into a second week, President Barack Obama joined a growing bipartisan chorus of legislators calling for an examination of programs that transfer military equipment to local police.

"There is a big difference between our military and our local law enforcement," Obama said, "and we don't want those lines blurred."

Critics, such as Rev. Andre Johnson, worry that the mere acquisition of such equipment encourages its use against a certain segment of the population. Brown's death exposed long-standing tensions between Ferguson's majority black population and its police force, where three of 53 officers are African-American.

"The militarization of police is not a huge problem to white America. It's black America," said Johnson, pastor of Gifts of Life Ministry in Raleigh and associate professor at Memphis Theological Seminary.

The police response when predominantly white sporting fans overturn cars and set trash cans ablaze following a win (or a loss) illustrates a racial bias that assumes criminal intent in black behavior, Johnson said. "I'd be interested to see how many white bodies have these tanks rolled on and how many white bodies tear gas has been used on."

In Tennessee, law enforcement agencies have received an estimated \$150 million in surplus military equipment since the mid-1990s, according to state LESO coordinator Elbert



The city of Germantown unveiled its new armored personnel carrier in August 2006. The \$184,000 truck was purchased through a Homeland Security grant.

Baker. "You may get it and never use it," Baker said.

That appears to be the case in Shelby County, where neither officials with the Memphis Police Department nor the Shelby County Sheriff's Office could recall the last time they used their LESO-provided armored personnel carriers for crowd control.

In 2013, LESO distributed \$450 million worth of equipment, ranging from blankets and computers to armored vehicles, boats and assault weapons. About 8,000 law enforcement agencies nationwide participate in the program, known as 1033 for its section in the National Defense Authorization Act.

Nationally, weapons account for just 5 percent of the items distributed, but make up 95 percent of equipment distributed in Shelby County.

In Memphis, where the population is around 11,000, police requested and received three grenade launchers, 10 M-14 assault rifles and 15 M-16s.

"That seems excessive," said Laura Sullivan, a grass-roots organizer supporting Memphis city employees, including police and firefighters, as they protest city cuts to retiree

health care benefits. "I would never second-guess what departments are trying to do," Sullivan said, but she'd rather see more federal funding for community policing programs that build the sort of trust between officers and residents that is missing in Ferguson.

According to state records, neither Germantown nor Collierville has surplus LESO equipment. Arlington and Lakeland, which do not have their own police forces, rely on the Shelby County sheriff, which has an armored personnel carrier and seven M-14s. It's scheduled to receive a mine-resistant ambush-protected vehicle worth \$750,000.

The Memphis Police Department has five M-14s, two aging personnel carriers that roll on tracks and a pair of bridge erection boats worth more than \$250,000 each, Baker said. By recycling unwanted items, the program is a boon for cash-strapped agencies.

"I've been able to acquire guns for small departments who couldn't afford to buy their officers guns," Baker said. "The government probably paid 500 bucks for them new and the department gets them for the cost

of having them shipped." Along with the LESO program, law enforcement agencies use grants from the U.S. Justice Department and the Department of Homeland Security to acquire military-grade equipment.

In 2006, Memphis police used a \$265,000 federal grant to buy a Lenco Bear armored truck. That same year, a Homeland Security grant landed Germantown police a \$184,000 Lenco Bearcat armored truck.

Germantown used its Bearcat in June, when a woman barricaded herself in her home after firing at a neighbor during a dog sitting dispute. The standoff ended peacefully.

"We're part of a larger regional response effort potentially, and that's why we have all of these resources," said Germantown Deputy Chief Rodney Bright.

Ultimately, Baker said, it's up to police decide whether an angry crowd is best dispersed using a truck designed to endure the explosion of an improvised explosive device.

"It's not meant to drive down the street and scare and intimidate people," Baker said.

The Associated Press contributed to this report.

**BROWN from 1A**

people out of the street and deployed noisemakers and armored vehicles to push demonstrators back. The stun grenades filled the streets with white smoke.

Mary Case, the St. Louis County medical examiner, said Brown was shot in the head and chest multiple times. Another person familiar with the county's investigation told The Washington Post that Brown had between six and eight gunshot wounds and was shot from the front. Brown also had marijuana in his system, the Post source said.

President Barack Obama on Monday dispatched the attorney general to personally oversee the government's response to the fatal police shooting 10 days ago of an unarmed black teenager, the latest step in an extensive federal investigation. Attorney General Eric Holder will meet Wednesday in Ferguson with local and federal investigators.

Missouri Gov. Jay Nixon lifted the neighborhood's midnight-to-5 a.m. curfew two days after it went into effect when he declared a state of emergency. The governor also summoned the National Guard after police again used tear gas late Sunday and early Monday to quell protesters.

The location of Brown's wounds is vital evidence in the case. Witnesses have said Brown's hands were above his head when he was repeatedly shot by an officer Aug. 9 in Ferguson.

Forensic pathologist Shawn Parcels, who assisted former New York City chief medical examiner Dr. Michael Baden during the private autopsy requested by Brown's family, said a bullet grazed Brown's right arm.

Parcels said the wound indicates Brown may have had his back to the shooter. Or Brown could have been facing the shooter with his hands above his head.

**DRIVERS from 1A**

Schools, said he sees the latest effort as part of a progression to hire qualified drivers. He said drivers must clear several checks, including physicals, background checks, drug and alcohol screenings, plus have the proper license to drive a

school bus. Hart said of 100 applicants, only 12 to 15 percent clear the review process.

Durham is searching for qualified drivers after several other efforts to recruit drivers who formerly worked under Shelby County Schools.

"If you're without a driver for the day for whatever reasons — whether it's health reasons or for

personal reasons — you can't just let the bus sit and tell parents: 'Sorry, Miss Mary is not feeling well today' or she had to take her child to the doctor," Simpson said. "You do have to have somebody on there who is qualified."

As for the first two weeks of school, Simpson said the only transportation problems he has noticed are routine, start-of-school issues

— students taking the wrong bus, the bus not making its stop or a lack of information on bus schedules for parents as they register.

"I wouldn't say there was anything out of the ordinary," he said. "It's what you would expect for the opening of the school year, and I think those things smoothed themselves out by the end of the first week."

**Lottery**

<b>CASH 3: TENNESSEE</b>	
Morning	8-5-3
Midday	6-7-7
Evening	4-3-0
<b>CASH 4: TENNESSEE</b>	
Morning	3-3-1-9
Midday	2-6-4-0
Evening	8-5-5-9
<b>CASH 3: ARKANSAS</b>	
Midday	0-1-2
Evening	9-2-1
<b>CASH 4: ARKANSAS</b>	
Midday	9-9-1-5

Evening	4-7-7-7
<b>TENNESSEE CASH: FRIDAY</b>	
1-4-5-22-26	1
<b>POWERBALL: SATURDAY</b>	
7-8-17-48-59	9
<b>JACKPOT:</b>	\$60 million
<b>MEGA MILLIONS: FRIDAY</b>	
16-19-28-29-68	9
<b>JACKPOT:</b>	\$160 million
<b>HOT LOTTO: SATURDAY</b>	
9-10-16-17-20	13
<b>JACKPOT:</b>	\$10.84 million

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**CORRECTIONS**

In a story Sunday about out-of-town investors buying homes in Greater Memphis, information about New York investor Prequid Partners' Progress Residential unit acquiring 10,000 houses in 12 states through foreclosure auctions, government agencies and short sales was misattributed to Pamela Blum, a Progress public relations agent.

The Commercial Appeal tries to correct factual errors or clarify misleading information. We regret any errors. To report an error or need for clarification, call 901-529-2490.