

**December 28, 2023**

**To: District Attorney General Coty G. Wamp**

**CC: Special Assistant Jay Price, Executive Assistant District Attorney Kevin Loper**

**Re: County Clerk Wanda Halbert Investigation**

Dear General Wamp,

Thank you for your update on the Shelby County Clerk Wanda Halbert investigation dated December 21, 2023. Your attention to this urgent and important matter is appreciated, as is the seriousness with which you are taking the process.

The county and its elected officials have eagerly anticipated developments in this investigation, which is the product and continuation of a years-long saga. We share your frustration with the barriers your office has encountered in reaching relevant individuals and obtaining requested records.

It is also a concern to learn that your office has “not received in writing one formal complaint or grievance in the form of an email, letter, or any other type of documented correspondence.” Presumably this statement does not refer to informal correspondence, such as the emails I have shared with Special Assistant Price.

With that being the case, it appears your office has need of a formal complaint detailing (at least some of the) reasons why the investigation was referred to your office and why we believe Clerk Halbert is in flagrant violation of Tennessee Code Annotated 8-47-101. I now offer one here, pulling from media reports, public records, direct experience, whistleblower information and constituent concerns.

This complaint details a variety of ways in which Clerk Halbert has “knowingly or willfully neglect[ed] to perform [duties] enjoined upon such officer by any of the laws of the state” and at the conclusion of this process “shall forfeit such office and shall be ousted from such office in the manner” provided by state law. For easy reference, the 20 complaints included in this narrative are summarized at the end.

The most recent item added to the list comes from the section of your update stating that the Shelby County Clerk’s office has “not responded to the Public Records Request and therefore [is] currently in violation of T.C.A. 8-47-103.” Failing to respond to a records request in violation of one’s own negligence investigation is a rather potent example of the general problem.

## **I. About the Shelby County Clerk**

Wanda Halbert has held the office of Shelby County Clerk since September 1, 2018.

The county clerk’s numerous duties include processing motor vehicle titles and registrations, collecting privilege taxes, issuing various permits and licenses, and more.

Shelby County is the most populous county in Tennessee, with the U.S. Census Bureau estimating the number of residents to be 916,371 as of July 1, 2023.

The Shelby County Clerk processes more than 650,000 motor vehicle registrations each year, necessitating the use of multiple satellite office locations to serve the citizens seeking to meet the government’s requirements. A different menu of services is offered depending on the location.

In addition to individuals and families, the clerk's office provides services to businesses such as car dealerships making multiple transactions, for which there are separate policies and procedures.

## **II. Context of the problem**

This case cannot and does not rely on evidence that Ms. Halbert is bad at her job. Instead, it reveals a clear pattern of intentional negligence. A series of issues drive and explain the Clerk's willful neglect.

Any time Clerk Halbert is asked to explain major incidents such as an abrupt office closure, a massive backlog, or neglected obligations, she provides a laundry list of grievances against the Mayor's Administration, the County Commission, the Trustee's office, and other parties charged with assisting her department in delivering services to the public.

She complains that her operating budget is less than the revenue her office generates, that the county's policies and operations are improper (such as collections being "swept" by the Trustee without her consent), that the clerk's facilities provide inadequate space for employees and citizens, that her office has not been afforded a "comprehensive fiscal and operational audit," that its technology is old, and that other departments and elected officials interfere with her duties.

For example, Clerk Halbert has repeatedly referred to her office locations as "illegal" and has stated, "There is not a one legal Shelby County customer space in this entire county."<sup>1</sup>

Clerk Halbert's laundry list of concerns is very familiar both to officials and to the public. She has recited these issues with regularity for the duration of her time in office. The points she raises are a combination of misunderstandings, misconceptions, differences of opinion, factually untrue allegations, blame shifting, and irrelevant red herrings.

To date, nobody has been successful in redirecting Clerk Halbert's focus. Repeated attempts to explain have been made by her own senior staff, by leadership in the mayor's administration, by the county's auditors, by county commissioners, by members of the news media, and even by the state Comptroller.

Clerk Halbert continues to harbor these ideas and is obsessed with them to the point where she has become frozen in her unwillingness to make decisions, delegate authority, and conduct regular business.

Clerk Halbert willfully neglects her duties for reasons stemming from these issues. Her negligent behaviors are not accidental or caused by inadequate training or support. They are intentional choices.

## **III. Financial jeopardy**

The disfunction in the Shelby County Clerk's office came to prominence in the Summer of 2021 with a series of statements and reports – from the county's auditors, from an accounting firm engaged with the Clerk's office, and from the Tennessee Comptroller.

At issue were Clerk Halbert's contentions about the county's financial processes and how they interact with her office. Clerk Halbert has repeatedly complained of the Trustee's nightly sweep of collected revenues, of improper access to financial records by the Assessor and other parties, of a vendor list she

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<sup>1</sup> <https://www.facebook.com/WMCActionNews5/videos/434285101707579>

did not authorize, of balances she disputes based upon the existence of a Microsoft Excel document created by her own staff, and so on.

#### **A. Competing audits**

Clerk Halbert maintains that her office should have received a separate, focused audit in addition to the county's annual audit. Her office engaged with the accounting firm CBIZ, which produced an "agreed upon procedures report" at some point in early 2021.

The report was reviewed by Banks, Finley, White & Co., one of the county's external auditing firms. They responded to the CBIZ findings with a letter dated June 1, 2021, which was circulated to members of the Board of Commissioners. Both firms identified a lack of internal controls in the Clerk's office.

Subsequently, Comptroller Jason Mumpower wrote a letter to Clerk Halbert on September 28, 2021, which was presumed to be the final word on Halbert's allegations. Mumpower admonished the Clerk to submit financial reports on a timely basis, to cooperate with the county's auditors, and to work in collaboration with other elected officials. The letter reads as follows:

Clerk Halbert,

Our office has reviewed the complaints and allegations you have communicated regarding the handling of funds collected by your office. We have also discussed these issues with the Shelby County Trustee, Director of Administration and Finance, County Attorney, Internal Audit, and Shelby County's external auditor, Watkins Uiberall, PLLC. Based on our review and subsequent communications, we believe there is no evidence of fraud, waste and abuse. Furthermore, all funds are being properly swept, restricted, and invested by the Trustee according to state law and the Shelby County Charter. Therefore, there will be no further audit or investigation of Shelby County or the County Clerk's Office by the Comptroller.

We encourage you to cooperate with other Shelby County offices. You should submit your monthly financial reports to the County on a timely basis in accordance with § 67-4-213(d). § 8-4-109(a)(2) also requires you to provide the county's external auditor who is serving as an agent of the Comptroller's Office with the records and information they need to complete the audit of Shelby County for the fiscal year ended June 30, 2021. Failure to do so may result in the county receiving a qualified opinion regarding the county's financial statements or a disclaimer of opinion on the County Clerk's Office due to the auditor's inability to obtain financial records.

It appears any disagreements involving the operations of your office can be resolved by working with the other Shelby County officials and the Shelby County Commission.

Thank you for your attention to these matters.

Respectfully,

Jason Mumpower  
Tennessee Comptroller of the Treasury

Unfortunately, Clerk Halbert did not take the Comptroller's warnings under advisement. Instead, she continued her allegations into future years, failed to submit her financial statements on a timely basis as

required by law, did not immediately correct the issues identified by the county's auditors, and continued to pursue an additional audit.

In July 2022, Clerk Halbert repeated her complaint at a news conference, saying, "We had to get our own audit. We're still in the middle of that audit. There are a lot of questions that we're receiving. And I can't wait until the audit is completed and we can distribute it to the county commission."<sup>2</sup>

Since that time, no such audit has been circulated to the Board of Commissioners.

A few months after Mumpower's letter, the county's external auditors offered their testimony. In the March 9, 2022<sup>3</sup>, meeting of the Board of Commissioners' Audit Committee, representatives from Watkins Uiberall and Banks, Finley, White & Co said they found "several material weaknesses in internal controls related to the audit of the Shelby County Clerk's office," in violation of T.C.A. 9-18-102.

These representatives said they "had to get special permission from the state to perform the audit" and resorted to alternative procedures to complete the work.

Material weaknesses they discovered included "no trial balance for end of year 2021," a "lack of written policies and procedures," transactions "not properly posed to the general ledger," and monthly bank reconciliations not being performed.

They cautioned that deficiencies in the Clerk's office "almost caused a modified opinion for the county as a whole." The Comptroller told them he would have to issue a qualified opinion on the county if this happened again, and that a qualified opinion "would affect our bond rating."

This would inflate the cost of borrowing for the county and weaken its financial outlook.

### ***B. Corrective action***

Auditors recommended that Clerk Halbert adopt a corrective action plan to avoid those consequences.

At the next meeting of the Audit Committee, Commissioner Michael Whaley sponsored a resolution requesting that the Shelby County Clerk's Office provide a corrective action plan.

The resolution was adopted unanimously on April 11, 2022, and this represented the first formal attempt by the Board of Commissioners to resolve issues in the Clerk's office. It would not be the last.

On June 20, 2022, Comptroller Mumpower wrote another letter to Clerk Halbert<sup>4</sup> reaffirming the need for her office to adhere to a corrective action plan. He warned against "denial of access by auditors to the necessary records," which had evidently been her practice previously, in violation of T.C.A. 8-4-109(a)(2).

The county's consultants and financial office leaders were successful in preparing and executing a corrective action plan, sparing the county from earning a qualified or negative opinion.

However, Clerk Halbert continued to jeopardize the county's financial position in other ways.

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<sup>2</sup> <https://www.facebook.com/WMCActionNews5/videos/434285101707579>

<sup>3</sup> [https://shelby.granicus.com/player/clip/2102?view\\_id=4&redirect=true&h=f33defd6eb5e70a3c7168b9d2872b9d6](https://shelby.granicus.com/player/clip/2102?view_id=4&redirect=true&h=f33defd6eb5e70a3c7168b9d2872b9d6)

<sup>4</sup> <https://www.localmemphis.com/article/news/local/shelby-county-tennessee-clerk-office-jason-mumpower-license-plate-tag-delays-memphis/522-412a1dba-d9c7-463e-918c-56aa79cb5208>

### ***C. Revenue loss***

On August 26, 2022, a notice from the Assessor's office warned that Clerk Halbert's refusal to cooperate with other county officials could result in \$4 million annual revenue loss to Shelby County.<sup>5</sup>

Javier 'Jay' Bailey, chief administrative officer for the Assessor's Office, sent an email to County Clerk CAO Bill Cash, sharing how the Clerk's office had cut off its access to business license records, preventing the Assessor from issuing Tangible Personal Property assessments "in accordance with Title 67 of the Tennessee statutory provisions." Bailey wrote that the Assessor's estimates "indicate that the shortage in property tax assessments is costing Shelby County Government some \$3 million to \$4 million in lost revenue per year."

Clerk Halbert denied the problem and called the Assessor's warning "baseless and without merit." Halbert said an independent audit would "answer all allegations."<sup>6</sup>

### ***D. Late and inaccurate reporting***

In addition, Clerk Halbert continued to prevent monthly financial reports from being submitted on a timely basis, in violation of T.C.A. 67-4-213(d).

On November 10, 2023, Trustee Regina Newman shared a report with the Board of Commissioners showing how "since at least July 2021 (Fiscal Years 2022, 2023, and 2024), none of the Clerk's monthly reports were submitted timely and complete."

Trustee Newman told news media that "County officials who collect money like Halbert are required to turn in a report every 10th of the month on revenue from the prior month" and said, "we have no reports back to July 2021 that the Clerk has submitted by the 10th of the month, that are accurate."<sup>7</sup>

## **IV. Property mismanagement**

Until recently, the Clerk's office provided services at seven retail locations throughout Shelby County: Downtown, Poplar Plaza, Germantown (Exeter), Whitehaven, Millington, Raleigh, and Mullins Station.

During Clerk Halbert's term, most of these offices have either closed abruptly without a substitute in place, have expired leases and remain at risk of imminent closure, or are operating in the absence of a lease agreement.

Clerk Halbert considers all of them "illegal" and inadequate, including her main office in the county-owned property Downtown, where she complains of employees "working in closets."<sup>8</sup>

### ***A. Germantown (Exeter) location***

The public first became aware of unusual trouble in the Shelby County Clerk's office on September 7, 2020 with the abrupt eviction of the Germantown branch at 2037 Exeter Road.<sup>9</sup>

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<sup>5</sup> <https://www.psrmemphis.org/assessor-halbert-costing-county-4m-a-year-in-lost-tax-revenue/>

<sup>6</sup> <https://tri-statedefender.com/halbert-claims-go-high-stance-in-dispute-with-assessors-office/09/01/>

<sup>7</sup> <https://wreg.com/news/local/halbert-late-on-county-financial-reports-for-years/>

<sup>8</sup> [https://www.fox13memphis.com/news/wanda-halbert-breaks-silence-after-closure-of-clerks-office-location-at-poplar-plaza/article\\_17809f08-7f6a-11ee-99ff-6b2c3d785849.html](https://www.fox13memphis.com/news/wanda-halbert-breaks-silence-after-closure-of-clerks-office-location-at-poplar-plaza/article_17809f08-7f6a-11ee-99ff-6b2c3d785849.html)

<sup>9</sup> <https://wreg.com/news/county-clerks-office-in-germantown-closing-as-lease-expires/>

Clerk Halbert told a reporter that a new leasing contract for the space was never signed and blamed the problem on Shelby County Mayor Lee Harris. Halbert said, “Sounds like this caught everybody off guard. Sounds like there was some miscommunication somewhere between this office and support services.”

According to WREG News Channel 3’s Jessica Gertler,

A representative for DNA Property Management said the office’s lease on the space was set to expire Jan. 31, and the company had been told the clerk’s office was looking for a new space.

But because of considerations due to COVID-19, that lease was extended several times — to April, then August and finally an extra two weeks until Sept. 11. In all, the property manager said, the clerk’s office received extensions to stay in the space an extra seven and a half months after the lease expired.

In the meantime, other potential tenants expressed an interest in the space, and the landlord secured a new tenant.

“We are absolutely making sure that we straighten up our administrative services,” Halbert said, “but if there is ever a problem that occurs under the elected official, myself or Mayor Harris, those problems should be brought to our immediate attention. That wasn’t done.”

However, a contrasting picture emerges from electronic communications and a detailed report prepared by former Support Services Deputy Administrator Jeff Goodman. The record shows Clerk Halbert was aware the lease was set to expire and failed to decide whether to renew the existing lease or secure a new space prior to the (extended) expiration date.

Clerk Halbert created an electronic calendar item on July 29, 2019, for a meeting titled “County Clerk Contracts” and included following meeting agenda:

Review County Clerk Contracts – especially the following:

Germantown – Lease ends Jan 2020, need larger venue with more parking  
Whitehaven – Town Center Move  
Poplar Plaza – Received a request from Finard to move  
Raleigh – Town Center Move

According to Goodman’s report,

Clerk Halbert’s was knowingly operating without a lease agreement. She accuses the Mayor of not signing a contract but there was no contract for him to sign. The Mayor would have gladly signed a contract if there had been one approved by the County Commission. She is an elected official and is aware that any new contracts are required to be put before the County Commission and approved prior to the Mayor signature. Her unwillingness to go through this process coupled with her refusal to comply with the landlord’s requests and the evident non-communication between her staff has ultimately put her in the situation that she is in. Mayor Harris and his administration, which includes Support Services, is helping Clerk Halbert navigate through this unfortunate situation. We have been directed to provide her with whatever support she is in need of.

The Germantown branch office eviction could have been prevented if Clerk Halbert had not willfully neglected her duties and made a decision instead of doing nothing and blaming other departments and officials.

After the Germantown office closed, nearly three years passed before Clerk Halbert belatedly opened a substitute location to serve that area of Shelby County.

### ***B. Riverdale location***

Using a property purchased by resolution of the Board of Commissioners on February 22, 2021, the highly touted Riverdale location was meant to replace the Germantown branch shuttered on Exeter.

All of 2021 would pass without any services being provided there.

In September 2022, the Riverdale property remained unused, and a new class of Commissioners taking office were eager to see the facility open.

Commissioner Erika Sugarmon sponsored a resolution setting a deadline of October 31, 2022, for the long-awaited opening of the Riverdale office. But, as The Daily Memphian reporter Bill Dries put it, “County Clerk Wanda Halbert never really accepted the deadline, which quickly came and went.”<sup>10</sup>

“After Halloween, she said maybe by the end of 2022 it could be ready to open but that date passed her by as well,” Dries wrote.

In March 2023, the Board of Commissioners appointed Janet Hooks as a special advisor for Clerk Halbert. Hooks was charged with monitoring Clerk Halbert’s progress in opening the Riverdale office, as well as co-piloting other office space negotiations. The creation of the special advisor position was a majority of the board’s alternative to a resolution that instead would have initiated ouster proceedings.

In his March 21 letter to Clerk Halbert, Chairman Mickell Lowery opened by informing her, “I made attempts to contact you today by phone prior to announcing the selection of the Commission Special Advisor; however, I was unable to reach you.” Clerk Halbert’s inability to be reached is evidence of her continued unwillingness to collaborate even with other elected officials seeking to assist her.

In a committee meeting on May 3, Commissioner Shante Avant asked for a firm timeline for Riverdale, and Clerk Halbert committed to open the office by June 3. That deadline was also missed, but after another delay, Clerk Halbert announced Riverdale’s “soft opening” on June 6.<sup>11</sup>

Ms. Hooks informed Commissioners in a May 31 email that the Riverdale office “has 9 teller windows and 2 drive-thru lanes,” as well as a layout that “could allow for the segregating of responsibilities such as dealer services, business tax, etc. possibly reducing the wait time to do a simple vehicle renewal.”

To date, Riverdale’s drive-through lanes remain unused. It is unclear when, or if, Clerk Halbert intends to provide drive-through services at Riverdale.

In addition, Riverdale has yet to be included in the Branches listing on the Shelby County Clerk’s website. There is no address provided for Riverdale, no phone number, no hours of operation and no list of

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<sup>10</sup> <https://dailymemphian.com/subscriber/article/36686/>

<sup>11</sup> <https://dailymemphian.com/article/36567/>

services provided by the office.<sup>12</sup> Whether Riverdale has moved beyond a “soft opening” is anyone’s guess. Clerk Halbert has neglected to communicate any long-term intentions for that office.

While the Riverdale controversy churned, a deadline to relocate the Poplar Plaza office was also approaching.

### ***C. Poplar Plaza location***

The lease on the Poplar Plaza office was set to expire in June 2023. Property owners told Clerk Halbert they would work to move her into a larger and more convenient location nearby, as the existing space was needed by a neighboring tenant that was planning to expand.

According to Clerk Halbert’s own calendar invitation, quoted above, she was aware she had been requested to move by Finard properties prior to July 29, 2019.

With a letter dated March 22, 2023, Mayor Lee Harris warned Clerk Halbert that he would pursue ouster proceedings if she did not select a replacement site for Poplar Plaza “by COB on Friday, March 24.”<sup>13</sup> Mayor Harris wrote that he had spoken with Chairman Lowery and they both “agree you should do everything you can to avoid the chaos that would come from a location closure when such a closure is completely unnecessary.”

On March 28, 2023, the news media obtained evidence that Clerk Halbert had received repeated and increasingly urgent communications from the property manager over the previous seven months, informing her that the eviction date was rapidly approaching.<sup>14</sup>

That same day, Clerk Halbert told The Commercial Appeal “she has no choice but to sign off on a lease for the new Poplar Plaza location” and attempted to shift blame to the Support Services department.<sup>15</sup>

Shortly thereafter, Ms. Hooks was appointed as special advisor, and she began informing the Board, through Chairman Lowery, of developments in the Clerk’s office negotiations at Poplar Plaza.

On May 17, 2023, Ms. Hooks wrote that “Clerk Halbert and myself, along with members of her team, met with Rick Smith, Manager, Finard Properties on the soon to expire lease at Poplar Plaza. As a result of that meeting, a lease for space in the same shopping center is currently being negotiated through real estate and legal. We look forward to maintaining an office there.”

In light of these negotiations, Clerk Halbert was given multiple extensions, and in June, the property owners said they were “optimistic” they were nearing the signing of a new lease with the Clerk’s office.<sup>16</sup>

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<sup>12</sup> <https://www.shelbycountyttn.gov/74/County-Clerk>

<sup>13</sup> <https://www.commercialappeal.com/story/news/local/2023/03/22/mayor-harris-to-clerk-halbert-choose-replacement-office-site-or-face-shelbuy-county-action/70039351007/>

<sup>14</sup> <https://wreg.com/news/investigations/county-commissioner-wants-halbert-to-step-down-emails-show-effort-to-close-poplar-plaza-lease-deal/>

<sup>15</sup> <https://www.commercialappeal.com/story/news/local/2023/03/28/poplar-plaza-owners-asked-wanda-halbert-months-agree-new-location/70056912007/>

<sup>16</sup> <https://www.commercialappeal.com/story/news/local/2023/06/02/shelby-county-clerk-poplar-plaza-nearing-lease-agreement/70283237007/>



On June 14, The Daily Memphian reported, “The Shelby County Clerk’s office in Poplar Plaza won’t be leaving the shopping center at the end of this month when its lease there expires.”<sup>17</sup>

The next month, the Clerk’s office ceased paying rent and on October 11, 2023, Finard informed the county by letter that they had fallen into arrears, owed \$9,867.50, and were served a NOTICE OF EXPIRATION OF LEASE and/or NOTICE OF TERMINATION OF LEASE and a NOTICE TO SURRENDER.<sup>18</sup>

On November 1, County CAO Harold Collins followed this with a letter to Clerk Halbert with a “request that you immediately notify the residents of Shelby County that your office will no longer do business there.”

Clerk Halbert did not honor the request.

On November 6, Chief Collins took the extraordinary step of alerting the public through the county’s social media channels, where the public learned that Clerk Halbert would be evicted from Poplar Plaza location, without a replacement site, due to the expiration of the lease and her failure to pay rent.<sup>19</sup>

Clerk Halbert neglected to communicate that she would be evicted from the Poplar Plaza office until the release of a letter two days before its doors closed permanently, and *after* Chief Collins’ public message. Even then, citizens queued up on the morning of November 8 and were turned away, believing they had one last day to take advantage of the convenient location.<sup>20</sup>

Months earlier, in a chaotic email to Chairman Lowery on March 24, 2023, Clerk Halbert had promoted the purchase of a former banking facility at Quince and Perkins as a potential replacement for the Poplar Plaza office.

Above, I shared that while the Clerk’s Riverdale facility has the capacity to provide drive-through services, no such offering is provided. Despite that, Clerk Halbert continued to cite the benefits of “drive-up windows” at the facilities she desires; such was true of the property at Quince and Perkins.

Clerk Halbert’s plan was to force the purchase of the Quince and Perkins property by allowing her existing office to close without building out a new space in the same shopping center. This is made evident by an email Clerk Halbert sent to a variety of officials on October 24, 2023, saying, “our team has been waiting for quite some time to close out Poplar/Highland new location added with the newly requested Quince/Perkins location.” That plan failed when the property was purchased by another organization.

Clerk Halbert continued, “We have been notified by Poplar/Highland, there are no new options available to us and we agree, the size of our customer base is more important than trying to figure out how to still serve in the current manner as it is today.”

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<sup>17</sup> <https://dailymemphian.com/article/36738/>

<sup>18</sup> <https://wreg.com/news/local/letter-shows-clerks-office-late-on-rent-as-far-back-as-july/>

<sup>19</sup> <https://www.commercialappeal.com/story/news/government/county/2023/11/06/shelby-county-clerks-office-in-east-memphis-poplar-plaza-to-close-due-to-unpaid-rent/71478123007/>

<sup>20</sup> [https://www.fox13memphis.com/news/wheres-wanda-taxpayers-demand-accountability-after-clerks-office-closes-one-day-early/article\\_dfe2ca9a-7e87-11ee-92e1-bb4b28b92965.html](https://www.fox13memphis.com/news/wheres-wanda-taxpayers-demand-accountability-after-clerks-office-closes-one-day-early/article_dfe2ca9a-7e87-11ee-92e1-bb4b28b92965.html)

Why Clerk Halbert failed to inform the public of the impending closure of the Poplar Plaza office in October is unknown. The important point is that Clerk Halbert willfully neglected to do so.

#### ***D. Whitehaven location***

When the trove of emails from Finard Properties to Clerk Halbert concerning Poplar Plaza were made public in March 2023, members of the news media also learned troubling details about Whitehaven.

According to the Commercial Appeal's Katherine Burgess, "the lease on the clerk's Whitehaven office, located at 4122 Elvis Presley Boulevard, has been in a holdover for more than a year."<sup>21</sup> The Clerk's office had been expending the lease each month on a 30-day basis and was subject to holdover fees, for an additional expense to Shelby County Government.

When asked for an update on the status of that office, Finard's Rick Smith emailed me this statement, dated April 26, 2023:

Whitehaven: We haven't reached a point of no return at this location just yet. The reason is due to the vacancy next door (to the south). Because of that, the exterior line is not currently interfering with others. This will not be the case once we get a lease for next door. We offered a relocation space that is larger and has many more adjacent parking spaces. We provided Letter of Intent in September of last year on that relo space but was never returned. I've reminded everyone I spoken with, each time we've spoken, the Lease is expired and all the Clerk's Office has is a 30 day occupancy right. Per the Lease, the LL can give Notice and surrender is required 30 days afterward. At the time we withheld charging Holdover Rent to show goodwill toward the negotiation. At this point, we are going to charge for the Holdover.

While there was no immediate threat of eviction from the Whitehaven office, negotiations had dragged on, and Clerk Halbert would not commit to a longer term lease either in the existing space or a new one.

On May 31, 2023, Ms. Hooks provided the Board of Commissioners with this brief update: "I have not been given the impression that Whitehaven or Raleigh are at risk of eviction."

Sadly, Ms. Hooks passed away October 10. Without a special advisor monitoring the situation, there were no updates concerning Whitehaven for several months.

That changed only after the delivery of your December 21 letter concerning the investigation. The very next day, ABC24's Jackson Brown reported that "the Shelby County Clerk's Office Whitehaven branch said the clerk's office is moving - to an even bigger location in the same plaza," and that the property owners "are in the process of finalizing a new lease agreement."<sup>22</sup>

It should not take outside pressure from a District Attorney exploring ouster proceedings to break a multiple-year stalemate and to initiate the execution of an otherwise routine business decision.

#### ***E. Raleigh location***

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<sup>21</sup> <https://www.commercialappeal.com/story/news/local/2023/03/28/poplar-plaza-owners-asked-wanda-halbert-months-agree-new-location/70056912007/>

<sup>22</sup> <https://www.localmemphis.com/article/news/local/shelby-county-clerks-office-new-bigger-whitehaven-branch-location/522-7657a726-8999-47c3-baa7-1d1b06508e59>

As in Whitehaven, the satellite office in Raleigh has been subject to neglect by Clerk Halbert.

On May 31, Ms. Hooks told the Board of Commissioners, “The lease for the Raleigh satellite transitioned to a month-to-month a while back.”

According to a report by WREG’s Jessica Gertler, “the lease expired in February 2022.”<sup>23</sup>

There have also been reports that Clerk Halbert has not caused the rent on this location to remain current, as was the case at Poplar Plaza.<sup>24</sup>

Here again, Clerk Halbert has neglected to approve a long term lease for that space or to select a replacement to serve that area. Her indecision presumably subjects the county to unnecessary holdover fees and leaves open the possibility of an abrupt eviction.

Shelby County residents are left without knowing from one day to the next if services will be offered in their community.

#### ***F. Millington location***

The County Clerk office in Millington is owned by the City of Millington, making the situation unique among the satellite locations. Clerk Halbert’s willful neglect has caused issues there as well.

City of Millington officials have long wanted the Clerk’s office to enter into a long term lease agreement and to start paying rent on the space. Hosting the Clerk’s office is a burden on the City of Millington, and they deserve to be compensated.

According to an update from Ms. Hooks in May, “The City of Millington has expressed a genuine desire for a lease to be executed, but they have not threatened to evict the Clerk.”

Clerk Halbert has neglected to enter into a long-term agreement with Millington and risks exhausting the goodwill of City officials whose patience may eventually wear thin.

In addition, the Millington office has been subject to repeated, abrupt closures attributed to a fiber optic line. The office was closed for this reason twice in the last month alone.<sup>25</sup> Citizens have complained that the Millington office closes early, without warning.<sup>26</sup>

### **V. Operational collapse**

In 2022, the ability of the Shelby County Clerk’s office to process motor vehicle registrations completely broke down.

#### ***A. Long lines and backlogs***

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<sup>23</sup> <https://wreg.com/news/investigations/lease-for-shelby-county-clerks-raleigh-location-expired-in-2022/>

<sup>24</sup> [https://www.fox13memphis.com/news/closed-clerks-office-at-poplar-plaza-not-only-location-behind-on-rent-county-commissioner-says/article\\_1d132380-802a-11ee-ae94-f7d0b913e5f4.html](https://www.fox13memphis.com/news/closed-clerks-office-at-poplar-plaza-not-only-location-behind-on-rent-county-commissioner-says/article_1d132380-802a-11ee-ae94-f7d0b913e5f4.html)

<sup>25</sup> <https://www.commercialappeal.com/story/news/local/2023/11/14/millington-clerks-office-closed-today-due-to-optic-fiber-cut-wanda-halbert/71583599007/>

<sup>26</sup> <https://www.localmemphis.com/article/news/local/shelby-county-clerks-office-millington-closed-internet-issues/522-3e97fcb3-2b64-4b00-877d-bc4afaa82409>

Early that year, the lines of waiting customers got longer, backlogs developed, and officials began hearing complaints about Clerk Halbert's office on a regular basis.

In March, Clerk Halbert told the Board of Commissioners her office was developing a new virtual queue system to help reduce the long lines, following months of customer complaints.<sup>27</sup>

The news media reported delayed services including a backlog of 8,500 auto dealer applications<sup>28</sup> and a vehicle plate backlog of 35,000.

An article in The Daily Memphian described it as a "bureaucratic traffic jam"<sup>29</sup> and cited issues with in-person renewals as well as online services and mail delivery.

### ***B. Staffing shortage***

The Clerk's Office also faced a staffing shortage, with "more than 30 vacant positions – and more than 1,000 active applications pending the office's review."<sup>30</sup>

In May, Clerk Halbert told media, "I owe the customer and citizens of Shelby County an apology," but she blamed the long lines and backlogs on "outdated facilities, poor technology, and staffing shortages."<sup>31</sup>

Clerk Halbert cited a lack of funding to fill the positions, but her office had underspent \$886,049 in personnel budget funds the previous fiscal year. Board members rejected her allegations of insufficient funding.<sup>32</sup>

Commissioner Eddie Jones told Clerk Halbert, "You have a perfect opportunity right now ... to fix that problem. It's already built into the budget. Fix that. That's on you."

And Commissioner Michael Whaley added, "From what I can tell, you've got the resources at your disposal to do what you wish. It's concerning to me that we specifically addressed the issue of pay equity ... but it has yet to be spent at all."

### ***C. Mail stoppage***

In June, the Board of Commissioners learned the Clerk's office had not been sending out license plates since the middle of the previous month.

Clerk Halbert told media that her office did not have the funds to mail out backlogged license plates and tags.<sup>33</sup>

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<sup>27</sup> <https://www.actionnews5.com/2022/03/09/shelby-county-clerks-office-seeking-solutions-resolve-customer-complaints/>

<sup>28</sup> <https://www.commercialappeal.com/story/news/2022/08/19/shelby-county-clerks-office-prepares-take-backlog-auto-dealer-applications/7845753001/>

<sup>29</sup> <https://dailymemphian.com/subscriber/article/27967/shelby-county-tn-license-plate-wanda-halbert-long-lines>

<sup>30</sup> <https://www.commercialappeal.com/story/news/2022/08/08/shelby-county-license-plate-distribution-state-intervene/10269322002/>

<sup>31</sup> <https://wreg.com/news/local/county-clerk-addresses-long-lines-waits-for-license-plates/>

<sup>32</sup> <https://dailymemphian.com/subscriber/article/27967/shelby-county-tn-license-plate-wanda-halbert-long-lines>

<sup>33</sup> <https://www.localmemphis.com/article/news/politics/shelby-county-tennessee-clerk-license-plate-delay-funding-memphis/522-a03f1e33-b11f-43c9-820e-a8d9b5b7b1c8>

The Clerk's CAO told the Commercial Appeal's Katherine Burgess "license plates had not been mailed out since May 19, because the money for postage could not keep up with the influx of Shelby County drivers who are to receive newly designed license plates issued by the state."<sup>34</sup>

CAO Cash said "once that funding is approved and transferred, mailing of plates will begin again immediately."

In response, Commissioner Michael Whaley sponsored a resolution to amend the Clerk's budget and to expend and appropriate \$540,000 for postage. The resolution was approved by a 10-0 vote.

However, the Board resorted to passing the amendment to restore mail service over Clerk Halbert's objection.<sup>35</sup> In the final hours before the vote, Clerk Halbert discouraged the Board from approving the funding.<sup>36</sup>

In an email to Commissioners Willie Brooks, Michael Whaley, and Van Turner, sent 15 minutes prior to the start of the Board meeting, Clerk Halbert wrote, "The Office of the Shelby County Clerk is respectfully requesting we immediately pull the resolution for Shelby County Clerk postage of \$540,000 on today's agenda until next Commission meeting."

In subsequent letters and briefings, Clerk Halbert would blame the stoppage on the Mayor's executive leadership and claim "it was IMPOSSIBLE for the County Clerk office to have a 'lack of funds.'"<sup>37</sup>

The dispute would continue throughout the month of June, with thousands of customers in limbo as Clerk Halbert delayed an agreement allowing the county mailroom to continue handling the work.<sup>38</sup>

#### ***D. Irrational behavior***

In the aftermath of the vote and Clerk Halbert's reaction, members of the Board of Commissioners spoke out about her "irrational behavior," with some of them sponsoring a vote of no confidence.

Commissioner Van Turner told ABC24, "I don't know why she's blaming us for something we have no authority to do. We have tried to work with her, but we were not elected to run her office – she was. We will continue to work with her to fix any issues."

Commissioner Mark Billingsley also spoke with ABC24, saying, "It's hard to explain madness and irrational behavior. The bottom line is we have thousands of thousands of people waiting for their car tags and we've tried everything we can do to work with her."

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<sup>34</sup> <https://www.commercialappeal.com/story/news/2022/06/02/shelby-county-clerks-office-says-license-plates-havent-been-mailed-two-weeks/7485094001/>

<sup>35</sup> <https://www.commercialappeal.com/story/news/2022/07/18/shelby-county-commission-may-ask-tennessee-take-over-license-plate-mail/10087590002/>

<sup>36</sup> <https://www.localmemphis.com/article/news/politics/tags-license-plate-shelby-county-memphis-mail-money/522-f759282a-793a-4f13-9398-e7941600d58b>

<sup>37</sup> <https://www.localmemphis.com/article/news/politics/shelby-county-tennessee-memphis-clerk-wanda-halbert-whistleblower-act/522-bf655327-8fd4-4ac5-86a1-4be171e43a9c>

<sup>38</sup> <https://www.commercialappeal.com/story/news/2022/06/27/shelby-county-license-plates-mailed-out-after-standstill/7751292001/>

And in an August 15, 2022, email reply copied to the Board, Commissioner Tami Sawyer pled with Clerk Halbert, “Please stop emailing us the same email over and over again while people await their tags. I think running your office is a better use of your time.”

Clerk Halbert would go on to claim “whistleblower” status over the episode, which legal experts deemed to be nonsense.<sup>39</sup>

#### ***E. Inaccurate collections***

In March 2022, Commissioner Mark Billingsley approached Clerk Halbert with a concern from residents in de-annexed areas of his district. These residents had been getting charged an additional fee that should have applied only to residents living in the City of Memphis.

In a March 21 response to Commissioner Billingsley and the Board, Clerk Halbert said her office had checked the issue and said the system would “remove the extra fee” for residents coming to the office in person. However, customers were still being charged the fee if they paid online and would be required to seek a refund. Clerk Halbert failed to communicate the issue to affected citizens.

Clerk Halbert thanked Commissioner Billingsley for “bringing this to our attention” but blamed the error on other parties.

#### ***F. Auto dealers***

Throughout 2022 and 2023, auto dealers and business managers with large fleets of vehicles have complained about backlogs and policies that prevent them from bringing their vehicles into compliance.

Ms. Hooks explained the dealer policy in an update shared with the Board on May 31, 2023: “The current dealer policy is that no more than two (2) transactions in person and for each drop off packet, no more than 25 transactions per package.”

For some companies, these backlogs and policies are costing their business as much as \$60,000 a month in lost revenues. Others have resorted to sending an employee to the Shelby County Clerk’s office each day to submit their maximum allotment of renewals, losing productive work time waiting in lines. (Witnesses who can speak to this issue are included in section VIII below.)

The Governor’s office came to the aid of auto dealers last summer, allowing temporary tags to be valid for up to 120 days.<sup>40</sup> Kent Ritchey, a former president of the Greater Memphis Auto Dealers Association, called it “a great relief” from “chaos” and said the backlog was “unprecedented in the history of Shelby County” and something he had not seen in his 35 year career in the industry. He told ABC24 “the backlog of tags is only happening in Shelby County out of 95 counties in the State of Tennessee.”

#### ***G. Public safety***

The backlogs, long lines and explosion of drivers with temporary tags introduced a serious public safety hazard to the Memphis and Shelby County roadways.

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<sup>39</sup> <https://dailymemphian.com/subscriber/article/31151/memphis-wanda-halbert-shelby-county-clerk-ouster-whistleblower>

<sup>40</sup> <https://www.localmemphis.com/article/news/local/tennessee-shelby-county-clerk-office-license-plate-backlog-temporary-extended/522-0e44c760-5866-4383-9d5d-7dcdb8b038ec>

A June 1, 2023 report by Jessica Jaglois of WMC-TV Action News 5 found that the Memphis Police Department had pulled over a record number of drivers for expired tags in 2022.<sup>41</sup> She reported that “a massive backlog at the county clerk’s office has kept drivers from seeking or receiving new tags and license plates in a timely manner for more than a year now.”

Many of these drivers had already paid to have their tags renewed, but the Clerk’s office had failed to deliver them on a timely basis.

One Memphis resident told me that in June 2022 he received a citation to appear in court due to an expired registration, but that he had already renewed and paid for it online. The Clerk’s office was “very very late,” he wrote. (This citizen is included in the list of witnesses to interview in section VIII below.)

The additional traffic stops added to an overburdened Memphis Police Department, which was already dealing with a persistent staffing shortage, a surge of violent crime and dangerous traffic behaviors. Memphis Mayor Jim Strickland and State Senator Brent Taylor would later call on the state to increase the number of troopers in the Tennessee Highway Patrol assigned to monitor Memphis roadways.<sup>42</sup>

## **VI. Service blackouts**

On July 5, 2022, Clerk Halbert held on a news conference<sup>43</sup> in which she attempted to blame the Shelby County mail services department for the mail stoppage and backlog, saying:

- “I never would have imagined that the interference that has been challenging us for the last four years would have gotten us to a point where we literally did not serve the customers.”
- “There is a state law... the state does not allow the county to stop serving the public, so the mail never should have stopped.”

A month later, Clerk Halbert announced that her office would be closed to the public for two weeklong periods. With a message sent August 15, Clerk Halbert said the two weeks “for blackout and/or closure” would be August 22-26 and September 19-23.

Clerk Halbert attributed the need for a blackout to the mail stoppage and wrote, “even if an independent office cannot perform a service, State law requires the County to be legally liable to provide the service.”

Evidently, Clerk Halbert holds the viewpoint that the mail services department should be held legally liable for maintaining public services, and that her own office is not bound by that same standard.

In a press release accompanying the announcement, Clerk Halbert declared the weeklong closure period an “all hands on deck” moment during which employees could catch up.<sup>44</sup>

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<sup>41</sup> <https://www.actionnews5.com/2023/06/02/mpd-pulled-over-record-number-drivers-expired-tags-2022-80-are-black/>

<sup>42</sup> [https://www.fox13memphis.com/news/a-must-have-mayor-strickland-speaks-on-arrival-of-more-state-troopers-in-memphis/article\\_38d2f86c-8d9e-11ee-b477-af4684aaaaf1.html](https://www.fox13memphis.com/news/a-must-have-mayor-strickland-speaks-on-arrival-of-more-state-troopers-in-memphis/article_38d2f86c-8d9e-11ee-b477-af4684aaaaf1.html)

<sup>43</sup> <https://www.facebook.com/WMCActionNews5/videos/434285101707579>

<sup>44</sup> [https://www.fox13memphis.com/news/shelby-county-clerk-s-office-to-close-for-two-separate-weeks-to-catch-up-on/article\\_a4ee5ed1-2a6a-52e2-a5e6-2c8c26695e93.html](https://www.fox13memphis.com/news/shelby-county-clerk-s-office-to-close-for-two-separate-weeks-to-catch-up-on/article_a4ee5ed1-2a6a-52e2-a5e6-2c8c26695e93.html)

Despite the “all hands on deck” declaration, during the closure Clerk Halbert traveled outside of the country on a personal vacation to Jamaica.<sup>45</sup> Clerk Halbert’s absence infuriated citizens and officials.

Comptroller Mumpower said in a statement posted to social media, “The clerk’s trip shows a lack of leadership and concern for her staff who are left to address the backlog without her presence in the office. It also shows a lack of respect for the citizens of Shelby County who are forgoing many of the clerk’s services this week in hopes that she is addressing her office’s deficiencies during the closure. The Clerk’s decision to travel to Jamaica this week shows that her apologies were meaningless. Her decision to take a trip damages her credibility and shows a complete lack of awareness. The clerk is AWOL while her staff is left behind trying to clean up the mess.”<sup>46</sup>

A statement from Mayor Harris said, “We share the public’s disappointment that Clerk Halbert has chosen to close public offices that serve our residents and leave the country. Our Administration has consistently asked that Clerk Halbert expand her hours of operation in order to clear the backlog issues and deliver essential services to Shelby County residents. We all need Clerk Halbert to do the job that she was elected to do.”<sup>47</sup>

Next, Commissioners Brandon Morrison and Mark Billingsley sponsored a resolution “requesting assistance from the State of Tennessee with the Shelby County Clerk’s Office, specifically with car tags and efficiency with the office in general.” The resolution passed without opposition on August 8, 2022.<sup>48</sup>

A state takeover had previously been encouraged by members of the news media, including ABC24’s Richard Ransom, who in June had argued, “It’s time for Tennessee to take over the clerk’s office.”<sup>49</sup> Ransom called the services in the Clerk’s office “a very basic function of government” and “something that Tennessee’s 94 other counties are handling just fine.”

In response, Comptroller Mumpower said state officials have no legal authority to take over the Clerk’s office duties but encouraged Mayor Harris and the Shelby County Commission to “look into possible avenues to possibly oust Halbert.”<sup>50</sup>

Despite the backlash, Clerk Halbert moved forward with plans for a second week of office closures.<sup>51</sup>

It raises the question, would other public-facing county offices be allowed to shut down their operations? Could the Assessor skip one reappraisal cycle? Could the Trustee skip one round of tax collection? Could the sheriff temporarily discontinue patrols and jail services?

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<sup>45</sup> <https://wreg.com/news/local/wheres-wanda-county-clerk-out-of-town-while-office-closed/>

<sup>46</sup> <https://twitter.com/TNCOT/status/1561786004184383489>

<sup>47</sup> <https://wreg.com/news/local/county-commissioner-talking-recall-for-clerk-wanda-halbert/>

<sup>48</sup> <https://www.commercialappeal.com/story/news/2022/08/08/shelby-county-license-plate-distribution-state-intervene/10269322002/>

<sup>49</sup> <https://www.localmemphis.com/article/opinion/shelby-county-memphis-tennessee-license-plate-opinion-richard-ransom/522-f4e465b8-f1cb-44be-af7c-f8e095db9904>

<sup>50</sup> <https://www.commercialappeal.com/story/news/local/2022/08/26/comptroller-local-officials-need-deal-shelby-county-clerk-wanda-halbert/7907032001/>

<sup>51</sup> <https://www.commercialappeal.com/story/news/2022/09/06/shelby-county-clerks-office-poised-close-second-week/8006430001/>



Clerk Halbert's willful neglect of her official duties is evidenced by the closure of her office to the public for two weeklong periods, and the state has an interest in requiring elected officers to do their jobs.

## **VII. Whistleblower testimony**

Employees in the Clerk's office, including members of the senior leadership team, have shared information with me about Halbert's leadership style and what causes her willful neglect.

According to their testimony, Clerk Halbert does not trust anyone. That lack of trust includes her own staff and extends to other public officials such as the Trustee, the Assessor, the Mayor, as well as employees from Support Services, Human Resources, Mail Services, and Information Technology.

Because she does not trust her colleagues, Clerk Halbert takes extreme measures to prevent them from accessing information. The absence of trust inhibits communication, prevents her from collaborating with other officials, and results in a regime of secrecy and paranoia.

One employee flatly told me the working culture under Clerk Halbert is "hell." This employee wrote a letter of resignation in advance, certain that one should be ready to produce at any given moment.

Employees describe Clerk Halbert as an extreme micromanager who will not authorize her employees to conduct even the most basic, routine business. This has slowed activity in the Clerk's office to a crawl and has led to a host of problems: missed rental payments, unsigned contracts, unfilled staff positions, unpurchased software, outdated equipment, expired leases, unfilled reports, and mismanaged budgets.

Clerk Halbert is reportedly terrified of making a minor mistake. This characterization is evident in her public statements, such as when she spoke to news media in November, saying, "I don't want to be accused of one cent missing, that we document every single penny."<sup>52</sup>

This narrow focus has caused Clerk Halbert to miss the forest for the trees.

Though Clerk Halbert complains of outdated technology, her employees tell me she will not approve the purchase of new equipment because she is afraid the Harris administration will use the machines to "spy" on her operations. Clerk Halbert's fear has left some of her employees running computers that are not equipped to access critical systems used by the Clerk's office.

Because the reporting in this section amounts to hearsay, investigators are encouraged conduct in-depth interviews with current and former employees who can personally vouch for this information. Suggested witnesses are listed below.

## **VIII. Suggested witnesses to interview**

In addition to current employees working in the Shelby County Clerk's office and others throughout Shelby County Government who interact with Clerk Halbert on a regular basis, I encourage investigators to reach out to the following 25 individuals. I have shielded 10 of their names to protect them from public scrutiny; I will share that information verbally upon request.

- Bill Cash, former CAO, Shelby County Clerk's Office
- Javier Bailey, CAO, Shelby County Assessor's Office

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<sup>52</sup> <https://wreg.com/news/local/halbert-late-on-county-financial-reports-for-years/>

- Gerald Thornton, Director, Shelby County Human Resources
- Regina Newman, Shelby County Trustee
- Cliff Norville, Director of Shelby County Public Works
- Audrey Tipton, Director of Administration and Finance, Shelby County Government
- Harold Collins, Chief Administrative Officer, Shelby County Government
- Jason Mumpower, Tennessee Comptroller
- Mark Billingsley, former Shelby County Commissioner
- Jeff Goodman, former Deputy Administrator, Shelby County Support Services
- Rick Smith, Director of Real Estate, Finard Properties
- Ed Haley, City Manager, City of Millington
- William H. Watkins, CPA, Watkins Uiberall
- Christopher Hearn, CPA, Banks, Finley, White & Co.
- Kent Ritchey, past president of the Greater Memphis Automobile Dealers Association
- [Redacted 1], former Shelby County Clerk's office employee
- [Redacted 2], large vehicle fleet customer
- [Redacted 3], large vehicle fleet customer
- [Redacted 4], employee of third party vendor for car dealerships
- [Redacted 5], car dealership employee
- [Redacted 6], Shelby County resident
- [Redacted 7], Shelby County resident
- [Redacted 8], Shelby County resident
- [Redacted 9], Shelby County resident
- [Redacted 10], a County Clerk in the West Tennessee region

## **IX. Summary of complaint**

1. Clerk Halbert did not cause her office to respond to the DAG's public records request, in violation of T.C.A. 8-47-103
2. Clerk Halbert did not cause her office to have written internal control documentation, in violation of T.C.A. 9-18-102.
3. Clerk Halbert did not immediately correct material weaknesses in internal controls and almost caused the county to have a qualified audit statement in 2022, which could have affected the county's bond rating, inflated its costs of borrowing, and harmed its financial outlook.
4. Clerk Halbert apparently failed to provide the county's external auditor with the records and information they needed to complete an audit of Shelby County, in violation of T.C.A. 8-4-109(a)(2).
5. Clerk Halbert improperly revoked access to records needed by the Assessor's office to process Tangible Personal Property tax assessments in accordance with T.C.A. Title 67, at an estimated cost to the county of up to \$4 million annually.
6. Clerk Halbert did not cause her office to submit monthly financial reports to the county on a timely basis, in violation of T.C.A. 67-4-213(d).

7. Clerk Halbert willfully neglected to make accommodations to maintain a satellite office in the Germantown area, leaving that population underserved between September 7, 2020 and June 6, 2023, when its replacement belatedly opened. Clerk Halbert gave no advance warning to the public that the Exeter location would close. Clerk Halbert also misrepresented the events that led to that office eviction and attempted to blame other officials.
8. Clerk Halbert willfully neglected to meet multiple deadlines for opening a satellite office at the Riverdale location. After a wait of 2 years and 9 months, she announced a “soft opening” that has now continued for 6 months, and the facility has yet to reach its full potential use. Clerk Halbert has yet to include this location on her website, and to communicate information about the services offered there.
9. Clerk Halbert willfully neglected to make accommodations to maintain a satellite office in the Poplar Plaza area, leaving that population underserved ever since an abrupt eviction closed its doors to the public on the morning of November 8, 2023. Clerk Halbert gave little warning to the public that the Poplar Plaza location would close. Clerk Halbert had no backup plans in place despite enjoying the services of a special advisor appointed by the County Commission to help her ensure a smooth transition to a new space on the same property. Clerk Halbert ignored many months of email communications from the property management company leasing the space and misrepresented her intention to maintain services there. Clerk Halbert did not cause rent to be paid to the property manager.
10. Clerk Halbert willfully neglected to authorize a new lease agreement to maintain a satellite office in the Whitehaven area and instead has resorted to 30-day extensions for nearly two years, subjecting Shelby County Government to unnecessary holdover fees and leaving the office at continued risk of being abruptly closed.
11. Clerk Halbert willfully neglected to authorize a new lease agreement to maintain a satellite office in the Ralieggh area and instead has resorted to 30-day extensions for nearly two years, subjecting Shelby County Government to unnecessary holdover fees and leaving the office at continued risk of being abruptly closed.
12. Clerk Halbert willfully neglected to authorize a lease agreement to maintain a satellite office in the Millington area and is not paying rent to the property owner, leaving the office at risk of being abruptly closed.
13. Clerk Halbert willfully neglected to prepare for a new license plate design issued in 2022 and allowed her office to fall into chaos. Long lines, delays and backlogs were the result, among other problems encountered by citizens, businesses, and other officials.
14. Clerk Halbert willfully neglected to prevent a staffing shortage and attempted to shift blame to other officials and fault a lack of funds despite underspending her personnel budget.
15. Clerk Halbert willfully neglected to ensure continuation of mail services, causing a massive backlog in delivering license plates and registration tags. She also lobbied against a budget amendment to resolve the mail stoppage and neglected to work collaboratively with the Mayor’s administration and the county’s mail services department.
16. Clerk Halbert willfully neglected to attend to the backlogged business of the County Clerk’s office, choosing instead to blame other officials for the problems and attempting to claim “whistleblower” status, which legal experts deemed to be “nonsense.”

17. Clerk Halbert did not immediately cause to be corrected an error in overcharging residents living in de-annexed areas, instead forcing them to seek refunds. Despite having advance notice, Clerk Halbert neglected to communicate the issue to affected citizens.
18. Clerk Halbert has willfully neglected to correct policy issues in her office placing an undue burden on auto dealers and businesses with large vehicle fleets, costing them thousands of dollars in lost revenue and creating ongoing customer service issues.
19. Clerk Halbert willfully neglected to correct backlogs in her office, leading to a record number of drivers being stopped for expired tags, unnecessarily adding to the workload of law enforcement officers who are already stretched thin, creating a public safety hazard, and pulling state resources away from other priorities.
20. Clerk Halbert willfully neglected to keep her offices open to the public during two weeklong blackout periods. She also willfully neglected to be present during what she deemed an “all hands on deck” moment, leaving the country on vacation while her staff worked on a backlog behind shuttered doors.

Even if any one of these numerated complaints does not meet the standard of “clear and convincing evidence” on its own, certainly the combined weight of them all is enough to demonstrate a pattern of willful neglect.

Together, they also illustrate the harms caused by Clerk Halbert’s unwillingness to execute the lawful duties entrusted to her, and they explain why citizens and officials alike are pleading for her expeditious removal from office. This is why T.C.A. 8-47-101 was established.

Thank you again for your attention to these matters and for your service to the people of Tennessee.

A handwritten signature in black ink, appearing to read "Mick Wright", with a stylized flourish at the end.

Mick Wright  
Shelby County Commission  
District 3