

POLICE ADVISORY AND REVIEW COMMITTEE MINUTES

Chairperson Rosa Mar called the meeting to order at 6:00 p.m. on April 19, 2018 at the Lonsdale Community Center located at 2700 Stonewall Street, Knoxville, Tennessee 37921.

Attending Committee: Jered Croom, LaKenya Middlebrook, Robbie Arrington, Ann Barker, Rosa Mar, Robert Gibson, Frank Shanklin

Not Attending:

Attending PARC Staff: Clarence L. Vaughn, III, PARC Executive Director, Ola Blackmon-McBride Executive Assistant

Attending KPD/City of Knoxville Staff: Deputy Chief Kenny Miller, Officer John Morgan, Attorney Ron Mills & Avice Reid, Sr. Director of Community Relations

INTRODUCTION

Chairperson Mar welcomed guests to the first quarter meeting of the Police Advisory & Review Committee, held at the Lonsdale Community Center. She recognized and thanked Roger Fernandez, Lonsdale Community Center Director for hosting the meeting. Chairperson Mar also recognized Ola Blackmon-McBride, who is serving as interim Executive Assistant for PARC.

Chairperson Mar reminded everyone that if they wish to speak during open forum, to please sign up on the sheet at the front entry table. Speaking times will be limited to 3 minutes per person. In addition, Chairperson Mar informed meeting participants that an interpreter, Dr. Coral Getino, was present.

APPROVAL OF MINUTES

Chairperson Mar asked if committee members had reviewed the January 25, 2018 meeting minutes. There were no changes and January 25, 2018 meeting minutes were approved.

SPEAKING ENGAGEMENTS – Ann Barker

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| February 23, 2018 | The Executive Director provided the 4 th Quarter Report at the Knoxville Police Department's Roll Call Meetings, which comprised of officers from the Patrol Division, Criminal Investigation Division, and Support Services. |
| March 8, 2018 | The Executive Director served as a panelist for the University of Tennessee's Diversity and Inclusion program, hosted by the Office of Public Service. The discussion was geared towards effective ways to enhance diversity in law enforcement and government entities. The Keynote Speaker was Judy Shepard, Founder of the Matthew Shepard Foundation. |
| March 22, 2018 | The Executive Director was asked to serve as a guest speaker for the Certified Property Casualty Underwriters, whom holds monthly meetings geared towards having conversations about issues that impact the City of Knoxville. The discussion topic was based on Social Justice and Ethical Practices. |
| March 29, 2018 | The Executive Director served as the guest speaker for the North Knoxville Rotary Club. The topic of discussion was based on PARC's history and services provided by the Community Relations Department for the City of Knoxville. |
| March 31, 2018 | The Executive Director served as a guest speaker during the "Save Our Sons" Empowerment Session, which was entitled "Positive Engagement with Law Enforcement". The discussion topic provided by the Executive Director was directed to educate participants about their Constitutional rights, Miranda rights, and engagement with law enforcement. |

Attendees were reminded everyone that if anyone would like PARC to speak to his or her organization, please call Clarence Vaughn at the PARC office. The PARC office telephone number is 865-215-3869 and it can also be found in the Informational Brochure located at the entrance table.

EXECUTIVE DIRECTOR’S REPORT

Executive Director Clarence Vaughn gave his first quarter report for 2018.

AUDIT OF DISCIPLINE PROCESS

The Committee audits all completed investigations from the Internal Affairs Unit of the Knoxville Police Department. The results of the first quarter audits were as follows:

Total of Cases Audited by the PARC Committee was six:

Officers Disciplined	5
Civilian Employees Disciplined	0

<u>Disciplines Imposed</u>	<u>Number of Officers</u>	<u>Number of Civilian Employees</u>
Verbal Counseling	5	

The Police Advisory and Review Committee and the Executive Director concurred with Internal Affairs’s conclusions on each case reviewed. The Committee asked for additional information on four of the six cases reviewed. After reviewing the additional information provided, the Committee concurred with the findings of the Internal Affairs Unit.

AUDITS OF KPD POLICIES AND PROCEDURES

Reviewed the following ordinances, policies, and procedures as result of the Executive Director’s evaluation of the Internal Affairs Investigations and complaints brought to the Executive Director:

- General Order 1.22 (Use of Discretion)
- General Order 1.36 (Harassment)
- General Order 1.60 (Response to Resistance/Use of Force)
- General Order 1.8 (Emergency Equipment and Vehicle Flight Response Driving)
- General Order 1.41 (Bias Based Policing)
- General Order 2.16 (Digital In-Car Recording Equipment)
- General Order 4.6 (Preliminary & Follow-Up Investigations Procedures)
- Standard Operating Procedure 1.19 (Unbecoming Conduct)
- Standard Operating Procedure 1.24 (Use of Force)
- Standard Operating Procedure 1.39 (Arrest, Search, and Seizure)
- Standard Operating Procedure 2.04 (Conduct – General)
- Standard Operating Procedure 3.00 (Courtesy)

ADVOCACY (STRENGTHENING THE RELATIONSHIP BETWEEN THE CITIZENS AND THE KPD)

- The Executive Director continues to educate citizens about the Police Advisory and Review Committee by speaking as an invited guest to monthly meetings held by community groups.
- During the Knoxville Police Department’s Roll Call Meeting, The Executive Director provided PARC’s 4th Quarter Report and information regarding PARC’s structure and volunteer board.
- The Executive Director attended the Knoxville Police Department’s Awards Recognition of officers whom were recognized for going above the call of duty to serve citizens of Knoxville. The awards provided were the Life Saving Award, Employee of the Month, Officers of the Month, and Unit Commendation for Outstanding Dedication to Safety and Security.

COMMUNITY OUTREACH

- The Executive Director continues to meet with citizens and community groups to discuss concerns and complaints to develop plans for successful resolutions.
- The Executive Director attends meetings hosted by the East Tennessee Civil Rights Working Group, which is comprised of volunteers whom seek information regarding public safety and criminal justice. The meetings are led by the Federal Bureau of Investigation, Knoxville Division.
- The Executive Director served as a guest speaker and panelist for discussions centered around diversity, public safety, and restorative practices.
- The Executive Director served as a vendor along with the Community Relations Department for the 2018 Neighborhood Conference. The conference included several groups and organizations whom provided useful information for citizen of Knoxville. The Community Relations Department featured information regarding “Saving Our Sons” and the Police Advisory & Review Committee.

NETWORKING

- The Executive Director was selected as a “40 Under 40” recipient by the Greater Knoxville Business Journal, whom celebrates 40 young leaders who are making a difference in the City of Knoxville.
- The Executive Director was able to provide a tour and introduction of the Knox County Public Defenders Community Law Office to the PARC Intern. The PARC Intern was able to obtain information about the services and resources provided by Mark Stephens and his staff.
- The Executive Director prepared a tour and introduction of the Knox County District Attorney’s Office, in which the PARC Intern was able to meet with Assistant District Attorneys to discover a real-life view of their daily responsibilities. In addition, the PARC Intern was provided with a tour of the City Courts and processes that take place in a court session.

Chairperson Mar reminded everyone that if they wanted to speak at Open Forum to please sign up on the sheet located at the back table.

PARC SUBCOMMITTEE REPORTS

Audio/Video Subcommittee – Frank Shanklin

Of the (4) IAU Cases and (2) Referral Action Forms reviewed the PARC Audio/Video Subcommittee, we submit the provided findings:

File #1 Referral Action Form

The Audio/Video of the officers involved worked properly. However, an officer was noted as failing to activate his wireless microphone during his initial interaction with the complainant. The infraction was document and noted on the officer’s Daily Observation Report

File #2 Referral Action Form

The Referral Action Form reviewed did not provide any audio or visual recordings to observe, due to the incident taking place in the District Attorney’s Office. The officer serves as an investigator for the Criminal Investigations Division, and he did not have access to a patrol vehicle or wireless microphone.

File #3 IAU Case #16-2773

The Audio/Video involving the alleged incident was reviewed. An officer did not properly activate his wireless microphone, due to immediately responding to the aid of fellow officers.

File #4 IAU Case #17-2785

The Audio/Video reviewed was provided from the officer’s dashboard camera, which remained in background mode.

File #5 IAU Case #17-2787

The Audio/Video reviewed involved multiple officers, in which two of the officers' involved were noted as failing to properly activate their wireless microphones. The infraction was documented in the case file, and the involved officers received verbal counseling.

File #6 IAU Case #17-2784

The Audio/Video regarding the alleged complaint was reviewed, and each involved officer properly activated their wireless microphone and in-car camera.

SUMMARY

The Knoxville Police Department's General Order 2.16 (Digital In-Car Recording Equipment) details that Officers shall turn on their audio and video equipment when they are out of their patrol unit on a call-for-service in the event audio is needed to substantiate or assist with documentation of their law enforcement duties, i.e., domestic disturbance, etc. It should be remembered that the purpose of the in-car video equipment is to monitor all contacts with a person in the community in all situations possible.

Racial Profiling Subcommittee – LaKenya Middlebrook

There were three alleged racial profiling cases received by PARC during the 1st Quarter.

Case #1 Summary:

The PARC office received a phone call from a complainant in reference to feeling harassed by the Knoxville Police Department. The complainant alleged that they were moving out of their home when Knoxville Police Department confronted and accused them of stealing a motor scooter. The complainant was asked to provide identification and the license plate number for the motor scooter. Allegedly the complainant's neighbors contacted the Knoxville Police Department to notify authorities of the stolen motor scooter. The officer was able to verify the license plate number of the motor scooter, and the motor scooter was not reported stolen. The complainant believed that his previous criminal record made him a target for the Knoxville Police Department.

Conclusion:

The Executive Director made several attempts to contact the complainant, in which he has not received a return call. The case has been closed due to a lack of response from the complainant. If a response is received from the complainant, PARC will offer to re-open the file.

Case #2 Summary:

PARC received a citizen complaint via an online complainant form. The complainant was walking to work when she was stopped by law enforcement officers. While walking, the complainant had headphones on and could not hear the commands from the officers. The complainant was apprehended by gun point, handcuffed and driven to the scene of a nearby accident. Allegedly, the complainant fit the description of someone who had fled the scene of an accident. Once at the scene of the accident, the individual whom served as a witness stated that the complainant was not the suspect involved. The complainant was released and taken back to her place of employment. The complainant is alleging harassment and racial profiling due to the suspect being described as an African American female with long (dreadlocks) hair. The compliant had shorter length blonde hair.

Conclusion:

The information provided confirms that the Knoxville Police Department assigned officers to the traffic incident but was not involved in the apprehension of the complainant. The officers involved in the incident were Knox County Sheriff officers. PARC's jurisdiction is directly related to the Knoxville Police Department. Therefore, the information provided has been forwarded to the Office of Professional Standards of the Knox County Sheriff Office.

Case #3 Summary

PARC was contacted by a complainant in reference to an incident that involved the complaint being allegedly followed by a Knoxville Police officer. The complainant stated that he was traveling to his place of residence from a nearby gas station, when he noticed an officer was traveling behind his vehicle. When he arrived to his place of residence, the complainant was stopped and cited for an improper exit from the gas station. The complainant stated that he attempted to explain and provide information regarding his exit from the gas station, and the officer would not allow him to provide any further explanation. The complainant alleges that he was followed and profiled by a Knoxville Police Officer due to being an African American male.

Conclusion:

The Executive Director is currently reviewing the proposed allegations and is waiting on further information to conclude the review of the citizen's complaint.

Operations Subcommittee – Robert Gibson

Mr. Robert Gibson reported on the quarterly totals of the 2018 cases, received and reviewed by the Committee, covering the period January 1, 2018 through March 31, 2018.

Total Cases for the Quarter	23
Cases Closed in the Quarter	20*
Resolution of Cases Closed for the Quarter	
Executive Director	7
Mediation: Executive Director & KPD	1
Referrals to Appropriate Agencies	4
KPD	8
Executive Assistant	0
Total Cases Pending for the Quarter	
4*	
PARC Initiated Cases <u>Referred</u> to IAU for the Quarter	
PARC Initiated Cases <u>Referred</u> to IAU for the Quarter	0
IAU Completed Cases <u>Reviewed</u> by PARC for the Quarter	4
IAU Referral Action Forms Reviewed by PARC for the Quarter	2
PARC Initiated Cases sent to IAU	1
IAU Initiated Referrals and Cases	0

PARC TRAINING SESSION: KPD

Investigator Jason Booker, Advocate Brandi Carson and Lt. Doug Stiles provided an overview of the Knoxville Police Department Violent Crime Unit. This department is staffed by twelve investigators and over one thousand cases come through the unit annually.

CASE MATTERS TO BE ADDRESSED BY THE COMMITTEE

PARC committee member Ann Barker addressed the committee regarding files #1 and #6. She requested clarification as to whether file #1 was sustained or unfounded. She also asked if the officer involved was still employed with KPD. Deputy Chief Miller confirmed file #1 was sustained and noted that the officer involved had resigned. Committee member Barker asked for clarification regarding the identification issue and arrests regarding file #6. Deputy Chief Miller clarified that the wife was not arrested and that her phone was confiscated as evidence due to an “officer being injured”. The wife recorded the incident. Additional questions were asked as to whether a lack of licensed negated an arrest. Deputy Chief Miller explained that the arrest occurred due to the suspect’s inability to prove his identification. The suspect presented a “fake id” and claimed to be a sovereign citizen.

Committee member Robbie Arrington asked the question “What are the rights of a sovereign citizen? Are we doing the right thing?” Deputy Chief Miller noted that sovereign citizens are complex but officers are trained to enforce the laws. Attorney Ron Mills provided additional history and clarification on a sovereign citizen.

Jered Croom, PARC committee, asked “Is there any training given to officers on using pepper spray/mase for a person that may be in respiratory distress?” Deputy Chief Miller responded yes and provided an overview of the training officers receive.

CITIZENS ASKED TO APPEAR BEFORE PARC

Roger Fernandez, Lonsdale Community Center Director shared with the group services and programs offered to the community residents. He also shared about bullying and other issues youths in the community experience.

OPEN FORUM

The following citizens addressed the Committee with concerns:

Evonne Stephens: Ms. Stephens asked the question “who is the youngest person serving on the PARC Committee?” She was seeking this information to determine the age for one to serve on the board. She was informed that a member must be voting age (18 or older) and be a resident of the City of Knoxville. Ms. Stephens commended PARC for moving its meeting outside of the city-county building and expressed an interest in having a PARC meeting in south Knoxville in 2018.

Mary Wilson: Ms. Wilson commended Chief David Rausch for his assistance and support on how to handle people with mental illness. She asked a question regarding school’s policy on handcuffing children. Deputy Chief Miller explained that he could not speak to school policies.

Melisa Connelly: Ms. Connelly requested clarification on the audio and video report and circumstances as to why an officer video may not be working. Senior Director of the Community Relations Department, Avice Reid, explained that the audio and video report was written incorrectly and that the audio was not working because the officer was out of range from his car. In addition, the incident involved a meeting inside of the District Attorney’s Office, and the meeting was conducted by an investigator from the Criminal Investigations Division. Therefore, the Audio/Video report documented no collection or usage of a wireless microphone.

Elizabeth Rowland: Ms. Rowland asked questions regarding the revised order 1.6. She specifically wanted to know why KPD made the changes they did and if PARC had input in the changes since PARC asked KPD to look at this order. Deputy Chief Miller stated that he did not have the order in front of him so he could not speak specifically about the order. PARC Executive Clarence Vaughn noted that he had met with KPD and shared the concerns of the PARC Committee.

Rebecca Par: Ms. Par is an advocate and is seeking ways to strengthen KPD relationship with residents of Montgomery Village. She extended an invitation for KPD to partner with them to host the “Vestal Vigil” on July 3rd. Time to be determined. The vigil will honor the many deaths lost to violent crimes, drugs, suicide, etc.

Jessica Dean: Ms. Dean expressed thanks to PARC Executive Director for speaking to her Pellissippi State Community College class on Monday, April 16th. She noted that she did a pre-and post-survey with students and noted that prior to the presentation 90% had never heard of PARC. However, 70% percent noted a positive experience with the police department.

The meeting adjourned

Respectfully Submitted,
Clarence L. Vaughn III, Executive Director