

POLICE ADVISORY AND REVIEW COMMITTEE MINUTES

Vice Chairperson LaKenya Middlebrook called the meeting to order at 6:00 p.m. on October 23, 2019 at the City County Building, Small Assembly Room, located in Knoxville, Tennessee.

Attending Committee: Robert Gibson, Ann Barker, LaKenya Middlebrook, Leticia Flores, Jered Croom

Not Attending: Rosa Mar, Frank Shanklin

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

Attending KPD/City of Knoxville Staff: Chief Eve Thomas, Sergeant Jonathan Chadwell, Sergeant Amanda Bunch, Investigator Shelley Clemons, Investigator Michael Washam, Officer John Morgan, Attorney Ronald Mills, Deborah Thomas, & Avice Reid, Sr. Director of Community Relations

INTRODUCTION

Vice Chairperson LaKenya Middlebrook thanked welcomed meeting participants to the 3rd Quarter Police Advisory and Review Committee meeting. In addition, Ms. Middlebrook informed guests of the facilities and request to sign in on the provided documents for attendance.

APPROVAL OF MINUTES

Vice Chairperson LaKenya Middlebrook asked if committee members had reviewed minutes of the 2nd Quarter meeting held on July 18, 2019 on the campus of Knoxville College. There were no changes. The 2nd Quarter meeting minutes were approved.

SPEAKING ENGAGEMENTS & EXECUTIVE DIRECTOR'S REPORT – Clarence Vaughn, III

Executive Director Vaughn gave a report of the 3rd Quarter speaking engagements and Executive Director's report.

SPEAKING ENGAGEMENTS

- July 9, 2019** The Executive Director was invited to serve as a guest speaker for the Park Place Condominiums Homeowner's Association. The discussion was directed towards the history and structure of the Police Advisory and Review Committee ("PARC"). In addition, meeting attendees were provided with information detailing services offered by the PARC.
- July 9, 2019** The Executive Director served as a guest on the Alliance Community Radio Talk Show to highlight outreach and training opportunities provided by the PARC. The radio interview outlined the function and service of Civilian Oversight in the City of Knoxville and proactive ways to encourage healthier relationships between community members and law enforcement officers.
- July 16, 2019** The Executive Director was invited to serve as a guest speaker for members of the Norwood Community Association. The discussion topic was based on positive engagement with law enforcement, in which the Executive Director provided information on the history and background of the PARC.
- July 26, 2019** The Executive Director presented to interns involved in the Mayor's Summer Internship Program about professional development and financial literacy. The Executive Director shared information about effective ways to engage with law enforcement officers during traffic stops and information about the PARC's service rendered to the City of Knoxville.
- August 15, 2019** The Executive Director was invited to serve as a presenter for the Knoxville Police Department's Citizen's Police Academy. The topic of discussion was a presentation on the history of Civilian

Oversight along with information detailing the creation of the Police Advisory and Review Committee.

September 5, 2019 The Executive Director served as a co-presenter during the Annual Endeavor Summit hosted by the Knoxville Chamber of Commerce for young professionals located in Knoxville and surrounding areas. The discussion topic was titled, “Beyond Labels”, which focused on identifying effective practices to counteract implicit and explicit bias in relation to Diversity in the workplace and community at-large.

September 5, 2019 The Executive Director was invited by members of the Community Voices Coalition to share information about the independent review process of the Police Advisory and Review Committee. The Executive Director also provided meeting attendees with a brief overview of the PARC and the established process of reviewing cases received by the Internal Affairs Unit for further review.

September 17, 2019 The Executive Director along with members of the Office of Neighborhoods and the Knoxville Police Department hosted their continuation of the “Neighborhood Safety Workshop”. The workshop included specific crime data and demographics for the East and Downtown Knoxville communities. Community members were provided with best practices in regards to safety awareness from the Knoxville Police Department, and meeting attendees were informed about offered services from both PARC and the Office of Neighborhoods.

Attendees were reminded if anyone would like PARC to speak to their organization, please call Clarence Vaughn at the PARC office, 865-215-3869. This information can also found in the Informational Brochure available at the sign-in table.

EXECUTIVE DIRECTOR’S REPORT

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 Police Advisory and Review Committee were (4) Referral Action Forms and (4) Internal Affairs Case:

Officers Disciplined	5
Civilian Employees Disciplined	0

<u>Action Imposed</u>	<u>Number of Officers</u>	<u>Number of Civilian Employees</u>
Suspension without Pay	2	0
Written Reprimand	1	0
Verbal Counseling	2	0

The Police Advisory and Review Committee and the Executive Director concurred with Internal Affairs’ conclusions on seven of the eight cases reviewed, in which committee members did not concur on the completeness of the investigation presented regarding a Referral Action Form reviewed. The Executive Director asked for additional information on four of the eight cases reviewed. The additional information was provided to members of the committee to answer questions and concerns posed.

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 1.41 (Bias Based Policing)
- General Order 1.60 (Response to Resistance)
- General Order 1.22 (Use of Discretion)
- Standard Operating Procedure 1.21 (Unsatisfactory Performance)
- Standard Operating Procedure 1.24 (Use of Force)
- Standard Operating Procedure 1.19 (Unbecoming Conduct)
- Standard Operating Procedure 1.39 (Arrest, Search, and Seizure)
- Standard Operating Procedure 1.45 (Sexual Misconduct)
- Standard Operating Procedure 2.01 (Associations)
- Standard Operating Procedure 2.04 (Conduct – General)
- Standard Operating Procedure 2.07 (Truthfulness)
- Standard Operating Procedure 3.00 (Courtesy)
- Standard Operating Procedure 3.01 (Responding to Calls)

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

- The Executive Director continues to meet with members of the Knoxville Police Department’s Command Staff and Internal Affairs Unit on a regular basis to discuss concerns and best practices that will result in effective ways to improve relationships with community members.
- The Executive Director along with members of the Office of Neighborhoods and the Knoxville Police Department host a series of workshops directed towards neighborhood safety. The workshop includes information presented from the “Community Crime Map – Lexis Nexis”, which provides data on criminal activities that have taken place in different sections of Knoxville. Information is shared with meeting participants about safety tips and best practices to keep neighborhoods safe.
- The Executive Director took part in the review process provided by the Commission on Accreditation for Law Enforcement Agencies, in which the Knoxville Police Department underwent a review of their practices and standards by the accreditation body.

COMMUNITY OUTREACH

- The Executive Director continues to meet with citizens, community groups, and neighborhood associations to discuss concerns and complaints to develop plans for helpful resolutions. The resolutions are based on the areas of concern presented by community members and the information is shared with the appropriate agency or department involved.
- The Executive Director served as a “Read Aloud” guest for students partaking in the East Tennessee Freedom School summer program. Students were provided with a brief background and understanding of the Police Advisory and Review Committee. The Executive Director was able to share information regarding public safety and ways to enhance positive engagement with law enforcement officers.

NETWORKING

- The Executive Director attended the 25th Annual National Association for Civilian Oversight of Law Enforcement Conference held in Detroit, Michigan. The Executive Director served as a moderator for a discussion titled, “Lawful but Awful: How to Analyze Controversial Police Shootings”. In addition, the Executive Director was elected to serve as a Member At-Large on the National Board of Directors.
- The Executive Director was selected to take part in the Leadership Knoxville Class of 2020, which identifies community and business leaders throughout the City of Knoxville. Leadership Knoxville provides opportunities for community members to network and identify key areas of focus that work towards the betterment of the community.

Vice Chairperson LaKenya Middlebrook reminded everyone that if they wished to speak at the meeting tonight during “Open Forum” to please sign up on the green sheet located at the sign-in table.

PARC SUBCOMMITTEE REPORTS

Audio/Video Subcommittee – LaKenya Middlebrook

Of the (4) Referral Action Forms and (4) Internal Affairs Case reviewed by the PARC, there were **six** cases which documented audio and video recording based on the incident taking place in the vicinity of the officer’s patrol vehicle and within a recordable range.

Audio/Video Subcommittee submits the following findings for our **3rd Quarter** review:

File #1 IAU Case #18-2798

The incident took place inside a residence, in which the person of interest was taken into custody. The audio and video recordings of the officers’ involved provided clear insight into the incident and allegation received by the complainant.

File #3 Referral Action Form

The officer involved properly activated their wireless microphone, and the audio recording received provided assistance in reviewing the alleged incident. The complainant was overheard explaining their concerns, and the response from the officer involved was successfully documented and reviewed via access to the audio recording.

File #4 Referral Action Form

The wireless microphone was properly activated involving the case reviewed. The incident involved an individual whom was verbally identified as violating an order of protection, in which the entire interaction between the complainant and officer involved was recorded and effectively reviewed.

File #5 Referral Action Form

The officer’s wireless microphone was correctly activated, in which the alleged incident was recorded in its entirety. The complainant was heard explaining their concerns, and the officer involved was observed responding to the complainant.

File #7 IAU Case #19-2809

There was ample audio and video recording provided to review the allegations presented by the complainant. The complaint involved the unsatisfactory performance of a Knoxville Police Department officer, in which there was a sufficient amount of audio and video recording provided to accurately review the allegation.

File #8 Referral Action Form

The officer involved appropriately activated their wireless microphones for purposes of audio recording, and the officer placed their patrol vehicle in a direction to capture video recording of the alleged incident. The officer was seen speaking to the complainant and another involved party, in which the complete conversation was recorded and accessible for further review.

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. Please note that the Knoxville Police Department requires Sergeants to review officers’ audio and visual footage twice per month to ensure that their wireless microphones are operating properly.

RACIAL PROFILING SUBCOMMITTEE REPORT – Jered Croom

There were two alleged racial profiling cases reviewed by PARC during the 3rd Quarter.

Case #1 Summary:

The Police Advisory and Review Committee received a citizen complaint form in regards to an alleged incident that took place in August 2018. The complainant shared his allegations of being racially profiled by officers from the Knoxville Police Department. The incident report stated that the complainant was observed sitting in a Maroon, 2001, GMC Yukon in front of a residence located on Louise Avenue. Officers observed the complainant sitting in the front seat of the vehicle after passing the residence on more than one occasion. The complainant exited the vehicle and began walking towards the front porch of the residence, in which Knoxville Police Department officers requested that the complainant walk back towards their direction. In the process of being asked to walk back towards the officers, the complainant was searched for weapons and illegal substances. The complainant expressed that he was “searched numerous of times with nothing illegal being found”. The complainant felt that he was targeted and profiled by stating, “My complaint is that this officer and his officers racially profiled me and went beyond their officer and legal duties to seize and later turn the seizure to a harassment.” A Knoxville Police Department K9 unit was deployed, in which an illegal substance was found in the vehicle. However, the complainant further shared that other individuals of a different race (“white”) were searched and allowed to leave without any action taken. Therefore, the complainant requested for the Police Advisory and Review Committee to review the actions of the officers involved in the alleged incident.

Conclusion:

Due to the incident involving criminal charges placed against the complainant, the Police Advisory and Review Committee will have to await complete litigation of the related court proceedings. The complaint has been placed on a *PENDING* status awaiting further review.

Case #2 Summary:

The Police Advisory and Review Committee received a written complaint from a complainant, in regards to an alleged incident that took place at the Tennessean Hotel located in Knoxville, Tennessee. The incident involved the complainant and his spouse attempting to retrieve a previous reservation made at the hotel, in which they were informed by a staff person of not having a reservation or room reserved. The complainant left the property in order to obtain a room at a nearby hotel, yet he shared that he left his wallet on the counter of the Tennessean Hotel. The complainant was not allowed to retrieve his personal belongings and was asked to leave by a Knoxville Police Department officer. The complainant further shared that the officer then, “pushed me with full force”, in which the complainant admitted to “slapping” the officer after being pushed. The complainant further shared that an alleged physical assault ensued by the officer. In addition, the complainant shared that he and his spouse were wrongfully treated due to his spouse being an African-American male and because they were “gay men”. Therefore, the Police Advisory and Review Committee was asked to review the allegations against the Knoxville Police Department officer involved.

Conclusion:

The allegations presented in the citizen complaint are pending civil litigation and awaiting further court proceedings. The Police Advisory and Review Committee will have to wait for the completion of the legal action related to the complaint. The complainant was notified and informed that the review of his concern would be continued once the matter is fully litigated.

General Order 1.41 Bias Based Policing

I. Policy

It is the policy of the Knoxville Police Department that we are committed to preserving the peace and maintaining order in the City of Knoxville by practicing bias-free policing and respecting the rights and dignity of all citizens.

II. Definition

Bias Based Profiling - The practice of stopping, detaining or searching a person based solely upon a common trait or a group that includes but is not limited to their race, color ethnicity, age, gender sexual orientation, religion, economic status or any other identifiable group characteristic.

OPERATIONS SUBCOMMITTEE REPORT

Quarter-to-Date Operations Report

Mr. Robert Gibson reported on the quarterly totals of the 2019 cases, received, and reviewed by the Police Advisory and Review Committee, covering the period **July 1, 2019 – September 30, 2019**.

Total Cases for the Quarter	17
Cases Closed in the Quarter	11
Resolution of Cases Closed for the Quarter	
Executive Director	7
Mediation: Executive Director & KPD	0
Referrals to Appropriate Agencies	1
KPD	3
Total Cases Resolved	11
Total Cases Pending for the Quarter	
PARC <i>Initiated</i> Cases Referred to IAU for the Quarter	0
IAU Completed Cases Reviewed by PARC for the Quarter	4
IAU Referral Action Forms Reviewed by PARC for the Quarter	4
IAU <i>Initiated</i> Referrals and Cases	0

PARC TRAINING SESSION: BODY WORN CAMERAS

Chief Eve Thomas provided an update on the status of “Body Worn Cameras.” The City Council approved a resolution in September 2019 allowing the Knoxville Police Department to test cameras. KPD is exploring options and will provide an update to City Council by January 14, 2020.

CASE MATTERS TO BE ADDRESSED BY THE COMMITTEE

PARC received eight cases during the 3rd quarter. Committee members asked questions regarding KPD fraternization policy, biased based training and the screening process for officers who have worked in other jurisdictions.

CITIZENS ASKED TO APPEAR BEFORE PARC

Mr. Rick Held of the Community Voices Coalition presented finding of a survey that was implemented by the Community Voices Coalition in the fall of 2019.

OPEN FORUM

Five individuals requested to speak the committee:

Rick Roach – Mr. Roach expressed concern that an officer who had recently been involved in a shooting was able to respond publically through his attorney.

Sherrie Raymond – Ms. Raymond expressed concern that a video she recently obtained due to a motor vehicle accident had “gaps in the audio.” She further expressed concern about the process for obtaining a copy.

Noah Nordstrom – Mr. Nordstrom alleged that “people who speak up” get harassed by the police. Chief Thomas instructed Mr. Nordstrom to provide her with additional information after the meeting so she could investigate his allegation. Mr. Vaughn also reminded him that PARC is available to assist in these matters.

Deborah Langston – Ms. Langston expressed appreciation to Chief Thomas and requesting assistance in revitalizing the Morningside Neighborhood Watch Group.

Constance M. Every – Ms. Every expressed concerns about the Knoxville Police Department.

COMMUNITY UPDATES

Director Vaughn introduced encouraged citizens to attend the upcoming “Neighborhood Safety Workshop” in which PARC is partnering with the Officer of Neighborhoods that is scheduled to take place on December 5, 2019, 6 p.m., at Arnstein Jewish Community Center.

The meeting adjourned

Respectfully Submitted,
Clarence L. Vaughn III, Executive Director