

Police Advisory and Review Committee
August 25, 2022 (2022- 2nd Quarter)
Meeting Minutes

Meeting was called to order by Chairperson, Star Starks at 6:02 p.m.

PARC Members Present	Ken St. Germain, Star Starks, Jered Croom, Dr. Leticia Flores, Jonathan Haskell, Reico Hopewell
PARC Members Absent	Heidi Barcus
PARC Staff Present	Marcus Rudolph (Investigative Manager), Tiffany Davidson (Executive Director)
KPD/City of Knoxville Staff	Chief of Police-Paul Noel, Assistant Chief of Police-Mark Fortner, Sgt. Rachel Britt, Sgt. Michael Dabbelt, Attorney Ron Mills, Charles Lomax

Speaker:

Chief Noel addressed the committee to share his vision for the department and action items that have been taken thus far to improve collaboration between KPD and PARC.

Approval of Minutes:

Dr. Leticia Flores made the motion to approve the minutes for the Q1 meeting. Ken St. Germain seconded. There were no changes or adjustments to the minutes and they were approved unanimously.

Executive Director's Report

Tiffany Davidson gave the following Executive Director's report for the 2nd Quarter.

Audit of Discipline Process

The committee audits all completed investigations from the Internal Affairs Unit of the Knoxville Police Department. The results of the second quarter audits are as follows:

Total IAU Cases Audited by the Committee	10
Officer(s) Disciplined	1
Civilian Employees Disciplined	0

Disciplines Imposed by KPD	Number of Sworn Officers
Written Reprimand	1
Oral Reprimand	0
Verbal Counseling	0
Suspension	0

2 officers resigned during investigations

Audits of KPD Policies and Procedures

The Executive Director reviewed the following ordinances, policies, and procedures as part of the evaluation of the Internal Affairs Investigations and complaints.

- General Orders:
 - 1.1 Personal Appearance
 - 1.6 Use of Force
 - 1.32 Conflict of Interest
 - 4.2 Mentally Ill Persons
 - 2.8 Domestic Violence

- 2.16 Digital Audio/Vieo Recording Equipment
- 3.11 Traffic Crashes Occurring on Private Property
- Code of Conduct:
 - 1.00 Insubordination
 - 1.07 Report for Duty
 - 1.24 Use of Force
 - 1.45 Sexual Misconduct
 - 1.19 Unbecoming Conduct
 - 3.00 Courtesy
 - 4.00 Identification before taking police action

Advocacy

The Executive Director met the following individuals:

- KPD to discuss: working relationship between KPD and PARC, quarterly cases, and KPD's Community Outreach efforts:
 - Chief Noel
 - Internal Affairs Unit
 - Sgt. Rick Eastridge
- E911 Center- Brad Anders, Executive Director to gain a better understanding of their operations as well as discussing challenges/concerns regarding inaccurate information provided to officers.

The Executive Director and Investigative Manager also met with members of the community to discuss concerns about law enforcement, receive complaints, answer questions, and offer assistance with addressing concerns.

Networking, Speaking Engagements, and Training

- The Executive Director:
 - Speaking Engagement:
 - Neighborhood Safety and Awareness Series-West District
 - Business Education for Talented Students (BETS)- UTK
 - Networking:
 - New Orleans Office of the Independent Police Monitor
 - City Councilwoman Amelia Parker
- The Investigative Manager:
 - Participated in Ride Along with Lt. Boatman-East District
 - Actively participated in networking and training opportunities with the:
 - Alternative Dispute Resolution Committee
 - Community Mediation Center
 - TN Association of Professional Mediators

Recent Developments/Successes

- All committee members now have electronic access to review case files.
 - That puts committee members at having full electronic access files and audio/video footage by which everyone can provide thorough investigations as barriers have been removed in terms of accessibility and effectiveness.
- Last quarter we announced that PARC staff was in the process of recreating a database that would allow them to generate reports based off of various criteria, such as: complainant demographics, officers involved, dispositions of cases, etc. We are happy to announce that the database is live and we are actively recording current investigations as well as back logging information from previous years.

- Lastly, we received feedback from multiple community members about their level of discomfort with the information required to complete PARC's online complaint form. We have made adjustments that only require minimal yet substantial information in order to initiate an investigative process. In addition, we have created a new anonymous complaint form. We want to ensure that members of the community have options regarding how they choose to file a complaint with our office with the understanding that each option provides different results.

Advocacy

The Executive Director met the following staff of KPD to discuss quarterly cases, Audio/Video access for PARC members, and KPD's Community Outreach efforts:

- Internal Affairs Unit: Lt. Steven Still, Sgt. Rachel Britt., Sgt. Amanda Bunch, Investigator Mike Washam
- Police Technology Manager, Julie Small
- Officer Shelley Clemmons

The Executive Director and Investigative Manager also met with members of the community to discuss concerns about law enforcement, receive complaints, answer questions, and offer assistance with addressing concerns.

Networking, Speaking Engagements, and Training

- The Executive Director:
 - Speaking Engagement:
 - Neighborhood Safety and Awareness Series-East District
 - Training:
 - Provided to attendees of Citizen's Police Academy
 - Networking:
 - KCSO's Office of Professional Standards to discuss referral process for complaints received through PARC office
 - Civilian Oversight Boards/Committees:
 - Chattanooga-Kay Baker
 - Nashville-Jill Fitchard
 - Memphis-Virginia Wilson
 - Community Mediator Denise Jackson
- The Investigative Manager:
 - Actively participated in networking and training opportunities with the:
 - Alternative Dispute Resolution Committee
 - Community Mediation Center
 - Participated in Webinar: Mediators' Perspectives on Officer-Civilian Mediation
 - Networking meeting with presenter/mediator Walid Abdul-Jawad was conducted

Subcommittee Reports

Audio/Video:

Committee member Dr. Leticia Flores provided the Audio/Video Report for the 2nd Quarter.

Of the four (4) Referral Action Forms and six (6) Internal Affairs Cases reviewed by the PARC, there were five (5) cases with documented audio and video recordings based on body worn cameras and/or the incident taking place in the vicinity of the officers' patrol vehicles and within a recordable range.

The Audio/Video Subcommittee submits the following findings for our 2nd Quarter review:

File Number	Type of Report	Review
2	Referral Action Form	The audio/video equipment for the involved officer was functioning properly and captured the incident being reviewed.
4	Referral Action Form	The audio/video equipment for the involved officer was functioning properly and captured the incident being reviewed.
5	Referral Action Form	The audio/video equipment for the involved officer was functioning properly and captured the incident being reviewed.
6	Referral Action Form	The audio/video equipment for the involved officer was functioning properly and captured the incident being reviewed.
7	IAU Case # 22-2871	Due to the nature of the scene, video footage was provided but was redacted (i.e., blurred) due to being inside of a home per KPD policy. Hence, no violations occurred.

A review of audio/video was not relevant to Files 1, 3, 8, 9, and 10 as these were Internal Affairs cases. Hence, no A/V was provided.

Summary

The Knoxville Police Department's General Order 2.16 (Digital Audio/Video Recording Equipment) details that Officers and vehicles equipped with audio/video recording equipment shall be in a record mode at all times when there is potential for contact with a person in the community, whether on-duty, or during secondary employment. The purpose of digital audio/video recording equipment is to monitor all contacts with a person in the community in all situations possible.

In addition, Knoxville Police Department requires Sergeants to review officers' audio and visual footage twice per month (at random) to ensure that their equipment is operating properly.

Racial Profiling:

Committee member Ken St. Germain provided the Racial Profiling Report for the 2nd Quarter.

There were no alleged racial profiling/bias based policing cases reviewed by PARC during the second Quarter review.

KPD Policy and Procedure Reviewed:

General Order 1.41 Bias Based Policing

I. Policy

It is the policy of 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:

Committee member Jered Croom provided the Quarter-to-Date Operations Report for April 1-June 30, 2022.

Total Cases Reviewed	13
PARC Initiated Cases referred to IAU	1
Reviewed IAU Completed Cases	9
Reviewed IAU-Referral Action Forms	4
Total Cases Closed *Number of cases reviewed, investigated, and closed by PARC staff	13
Total Cases Pending *Cases that are awaiting review/investigation by PARC upon the completion of IAU investigation.	1
Resolution of Cases	
Mediation: PARC Staff & KPD *PARC staff met with complainants and KPD to provide mediation services to resolve issues & concerns	0
Referrals to Appropriate Agencies *PARC office received a call(s) regarding issues involving other law enforcement departments	3
KPD *KPD made contact with the complainant and the complainant decided not to move forward with a formal investigation	2

Case Matters Addressed by the Committee:

The committee addressed 8 out of the 10 cases reviewed during the 2nd Quarter. Matters addressed are as follows:

File 1: IAU Case 21-2865

1. Why, historically, were S.O.S. officers not mandated to wear body cameras? At this time, do all S.O.S. officers have cameras?

Chief Thomas has stated that she did not initially intend for officers on special teams to utilize body cameras. After this event, the policy was amended and all SOS officers have been issued cameras.

2. Curious about ten (10) days of leave is that standard practice?

Administrative leave is standard following an officer involved in a critical incident. Officers are placed on paid leave to ensure they remain available for follow-up interviews, EAP appointments, etc.

3. Page 156 of the report is a receipt for a \$1160 deposit...not clear what that was for?

The individual involved was in possession of \$1160 cash at the time of the incident. The receipt was to show that the money was placed into safekeeping for the family to collect.

File 2: Referral Action Form

1. As it relates to confidentiality, is there a process/policy regarding officers sharing information about a deceased victim and their previous history (i.e., drug use, arrests, etc.) with other members of the community that are not immediate family members?

The previous history of the victim (i.e., arrests) is a public record. Next of kin death notifications are inherently difficult for all involved. In the first paragraph of the memorandum, Sergeant Tucker wrote that the Chaplain indicated he would speak to the neighbors so they could check on the next of kin. No information was shared that would not be public record. The information shared was for context and to have others continue to check in on the welfare of the next of kin.

It is clear there was no malicious intent by either Officer Lane or the Chaplain.

2. When the complainant advised that she suspected the boyfriend of "foul play", was the lead followed by any officer?

The complainant provided minimal information which she was presenting second hand from a person who she could only give a first name of. We were not able to identify the source of the information and could not conduct any further follow-up regarding that information.

File 3: **IAU Case 21-2861**

1. The department aims to recruit more officers, creating more diversity amongst staff; how does the department plan to protect those officers who do not fit the majority (i.e., people of color, women, and gay/lesbian)?

Creating a culture of accountability that starts with the Chief and needs to be held throughout the entire organization. When mistakes are made, an environment will be created where officers can come forward and share their uneasiness. The ABLE program prevents mistakes and misconduct within departments. A policy (Code of Conduct) has been created that prohibits retaliation.

2. Why did one of the complainants' complaints not rise to the level of an IA complaint? There were several people that heard the story. Were they not required to file a complaint, similar to File 8 of this quarter? Are some people subject to disciplinary proceedings for failing to report, if so?

The officer relayed the incident to her friends (who happened to be fellow officers) in confidence. She never sought an official investigation.

Also, no one in Officer Rickerman's case (File 8) was required to file a complaint. They were questioned due to Internal Affairs being notified of her behavior during interviews.

3. Was there a criminal complaint forwarded to the District Attorney's office?

No, the statute of limitations has passed for any and all criminal allegations set forth in the complaint.

File 4: **Referral Action Form**

1. Is there a progressive discipline for camera malfunctions?

If a camera malfunctions, an officer would not be in violation of policy for a technological failure. However, if an officer knew of previous camera issues and did not have the issue fixed (or attempt to have it fixed) then there could be possible issues arising from that. Discipline is decided by the Chief of Police.

File 5: **Referral Action Form**

1. Why was the GPS information not used to update the officers on scene?

At approximately 0558:03, dispatch called 36Charlie. Officer Ryan answered. Dispatch advised that the homeowner of 2441 said that officers were at the wrong house. The complainant called and said the correct address is 2445. Officers went to the 2445 address and made contact with the victim of a domestic assault.

It takes time for information to be relayed to officers from dispatch and/or third parties. Officers were acting in good faith based on information they had at the time.

File 6: **Referral Action Form**

No questions were asked.

File 7: **IAU Case 22-2871**

1. Was there any kind of reprimand or perhaps training for the officer in question? Why even make the comment on her clothing?

No reprimand as it could not be proved or disproved that the officer violated the Code of Conduct. The officer simply thought that she looked unprofessional.

2. Is there an exception clause to utilizing body cameras that the public is unaware of? Where is it indicated that officers can disable their microphone during "assumed" KPD family conversations?

When the Officer originally made the scene his camera and mic were on in accordance with policy. The Officer muted his audio to speak to supervisors and fellow KPD officers current and retired. This also included the wife of a retired officer.

3. What happened before and after there was no camera footage for almost two (2) minutes? Does it show the body position or direction of the Officer that could have been used to corroborate the statement provided by Mrs. Sharpe?

There was camera footage for those "2" minutes. The camera was simply blocked by the Officer by resting his arms by holding the top of the vest. This is a common practice. The camera showed the Officer passing the subject in the hallway and touching her as he passed. This would have been a normal action for someone to take as they passed. Also, after the alleged incident took place, the camera shows the subject apparently laughing and she does not seem to be distressed.

File 8: **IAU Case 21-2846**

1. Data regarding whether the officer had undergone neuropsychological testing/ongoing observation/treatment after the officer's accident. Also, whether IAU had reviewed such testing, treatment in their investigation. Was there documentation that might have indicated that the officer was at risk for such behaviors, given that the officer was apparently definitely diagnosed with TBI?

The Officer's health was looked into during this investigation, but due to sensitive information, those details will not be made public by KPD.

File 9: **IAU Case 22-2874**

No Questions were asked.

File 10: **IAU Case 21-2862**

1. Is it standard procedure for PARC not to get the full transcripts of an interview conducted by Tennessee Bureau of Investigation (TBI)?

The TBI does not produce transcripts during their investigations. Their case files only include summaries of their interviews, which Internal Affairs Investigators then summarize for their investigations.

Committee Business and Concerns to be addressed:

- PARC Staff recommended an adjustment to when the committee meets quarterly due to a meeting falling the same month (July) when new committee members are appointed. When new members need to go through orientation and having a meeting the same month, it is difficult to work around schedule conflicts (due to vacations, etc.). Hence, it was suggested that the meetings be held in the months of:
 - i. February

- ii. March
- iii. August
- iv. November

Committee member Jered Croom made the motion and committee member Star Starks seconded the motion. All committee members voted in favor of the adjustment.

- Dr. Leticia Flores made a motion to nominate Star Starks and Chairperson and Jered Croom and co-chair of the committee. All votes were in favor of the change.

Public Forum:

Four members of the community requested to speak during public forum.

Community Updates:

No updates were provided.

Adjourn:

Meeting adjourned at 7:30 pm.