

POLICE ADVISORY AND REVIEW COMMITTEE
MINUTES, August 26, 2021

Chairperson Jered Croom called the meeting to order at 6:01 p.m. on Thursday, August 26, 2021, City-County Building, Small Assembly Room.

PARC members present: Jered Croom, Leticia Flores, Ken St. Germain, Jenae Easterly, Frank Shanklin, Jr., Star Starks, and Heidi Barcus

PARC members not present: Star Starks

PARC staff present: LaKenya Middlebrook, Executive Director
Marcus Rudolph, Investigative Manager

KPD/City of Knoxville Staff: Chief Eve Thomas; Lt. Steven Still; Investigator Michael Washam; Attorney Ronald Mills; Dr. Charles Lomax, Jr., Community Empowerment Director;

INTRODUCTION

Chairperson Croom welcomed attendees to the 2nd Quarter Police Advisory and Review Committee meeting. A motion was made by Ken St. Germain to hold the 2nd Quarter PARC meeting virtually out of necessity and public health...LaKenya Middlebrook mentioned condolences to the family of Carol Scott, the first Executive Director of PARC.

APPROVAL OF MINUTES

Ken St. Germain moved to approve the minutes of the April 22, 2021 meeting; Jered Croom seconded the motion. There were no changes or adjustments to the minutes; the minutes were approved unanimously via roll call vote. Heidi Barcus abstained from the vote.

EXECUTIVE DIRECTOR'S REPORT & SPEAKING ENGAGEMENTS

Executive Director LaKenya Middlebrook gave the following Executive Director's report for the 3rd 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 third quarter audits were as follows:

Total Cases Audited by Committee: 14

Officers Disciplined	4
Civilian Employees Disciplined	0

<u>Disciplines Imposed</u>	Suspension	2
Written Reprimand		1
Oral Reprimand		1
Verbal Counseling		0
	<u>Number of Officers</u>	

Number of Civilian Employees

n/a

n/a

n/a

n/a

The Police Advisory and Review Committee concurred with the Internal Affairs Unit's conclusions on the two (2) cases reviewed.

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 brought to the Executive Director:

- General Order 1.43 (Social Network/Media Internet)
- Standard Operating Procedure 1.19 (Unbecoming Conduct)
- Standard Operating Procedure 3.00 (Courtesy)
- City of Knoxville Executive Order (COVID-19 Health and Safety and Related Policies)

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

- The Executive Director met regularly with the Knoxville Police Department Chief of Police staff. Topics of discussion included complaints and questions brought to PARC, cases reviewed by PARC, KPD training, KPD recruitment, violence prevention, approaches to public safety and community engagement.
- The Executive Director participated in meetings with the Mayor, representatives from City departments and community agencies to discuss concerns and opportunities to improve public safety in Knoxville.
- The Executive Director met with members of the community to discuss concerns about law enforcement, answer questions and offer assistance with addressing concerns.

NETWORKING, OUTREACH AND TRAINING

- The Executive Director coordinated and participated in discussions between a youth servicing agency and KPD to discuss and develop safety plans and opportunities for police engagement with program participants.
- The Executive Director participated in discussions, held by Mayor Kincannon, with service providers, youth and community members in the Lonsdale and Five Points/Walter P. Taylor communities.
- The Executive Director participated in East Tennessee Civil Rights Working Group. The Working Group includes advocates, representatives from civil rights organizations, and members of law enforcement.
- The Executive Director participated in the Knoxville Area Urban League Conversations on Race. The discussions included information sharing and dialogue about how to address disparities in Knoxville.
- The Executive Director, Empower Knox Community Engagement Manager and City's United held conversations with several members of the Knoxville Community to discuss violence prevention, including service providers, violence impacted

persons, youth, and elected officials.

- Mayor Kincannon appointed the Executive Director continues to serve on the Transformation Impact Plan Committee for the United Way of Greater Knoxville and the Executive Committee of the Knoxville Branch NAACP.

SPEAKING ENGAGEMENTS

March 9, 2021	The Executive Director and PARC Chairperson, Rosa Mar, presented the 2020 Annual Report to Knoxville City Council. The City of Knoxville transmitted the report to the Tennessee General Assembly in February 2021, as required by state law.
March 19, 2021	The Executive Director served as a speaker for the AmeriCorp Lunch n'Learn. The Executive Director gave an overview of the history and work of PARC and answered questions from attendees.
March 23, 2021	The Executive Director met with members of Knoxville Interdenominational Christian Ministerial Alliance to discuss violence prevention, policing, and opportunities for faith leaders to engage in reducing
March 27, 2021	The Executive Director served as a panelist 2021 City of Knoxville Neighborhood Conference. The Panel included Chief Eve Thomas, members of the Knoxville Police Department, and the Executive Director discussing policing, civilian oversight and answering questions submitted by members of the public.

Due to Covid-19, speaking engagements and networking opportunities were limited.

SUBCOMMITTEE REPORTS

Audio/Video Subcommittee Report (Frank Shanklin Jr.)

Of the one (1) Referral Action Forms and one (1) Internal Affairs Cases reviewed by the PARC, there was **one** case with documented audio and video recording based on body worn cameras and the incident taking place in the vicinity of the officers' patrol vehicles and within a recordable range.

Audio/Video Subcommittee submits the following findings for our **1st Quarter** review:

File #2 Referral Action Form

The video and audio equipment for the officer involved was function properly. Body worn cameras and In-car video. The interaction was captured in its entirety.

Summary: The Knoxville Police Department's General Order 2.16 (Digital In-Car 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.

We would also like to mention 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 (Dr. Leticia Flores)

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

Operations Subcommittee Report (Frank Shanklin Jr.)

Quarter-to-date Operations Report (October 1, 2020-December 31, 2020)

Total Cases for the Quarter	14
Cases Closed in the Quarter	7*
Resolution of Cases Closed for the Quarter	
Executive Director	4
Mediation: Executive Director & KPD	0
Referrals to Appropriate Agencies	1
KPD	2
Total Cases Resolved	7
Total Cases Pending for the Quarter	
PARC <i>Initiated</i> Cases Referred to IAU for the Quarter	1
IAU Completed Cases Reviewed by PARC for the Quarter	1

IAU Referral Action Forms Reviewed by PARC for the Quarter	1
IAU <i>Initiated</i> Referrals and Cases	0

Training Session: Overview of the Tennessee Bureau of Investigation

TBI Agent Derek Newport presented to the committee about how the agency is trying to have investigations complete within thirty-(30)-days. In the presentation, Agent Newport provided the following: The goal is fact-finding, only information gathering and collecting. TBI does not make recommendations or assessments of disposition for a case nor policy recommendations.

CASE MATTERS ADDRESSED BY THE COMMITTEE

File 1: Committee member asked about the procedure of barricading the subject. Chief Thomas replied that is protocol is not easy and that the officers are trying to “de-escalate” the situation. KPD wants officers to not engage unless imminent threat of harm. In addition, KPD has a Crisis Negotiation Team on call and ready to assist.

Executive Director asked, “What is the general availability of the negotiators on call?” Chief Thomas stated that come September 12, 2021 the schedules and shifts are going to change and will give an update next meeting.

File 2: Committee member asked about what procedures are in place by KPD for Adult Protective Services due to the nature of this case. Chief Thomas explained that this case is an ideal scenario to implement Adult Protective Services.

File 3: Committee member mentioned that this case was a safety case and wanted to bring about discussion on racial profiling and traffic stop reduction. Chief Thomas stated that there was probable cause with this particular traffic stop but understood the concerns. Chief Thomas states that it helps if KPD is more engaged and broadens its knowledge of the community. Build that relationship and trust.

File 5: Committee member asked Chief Thomas what are better options or methods in regards to cases that have Use of Force. Chief Thomas provided information on KPD policy and agreed that after review there were better options than what transpired in the case.

Executive Director asked, “How often are these mechanism techniques of engaging in Use of Force updated?” Chief Thomas explained that there is an annual in-service, special trainings, and there ride-a-long options will be implemented back after COVID-19.

File 7: Committee member mentioned to Chief Thomas about “civility training” based on the results of the case. Chief Thomas agreed. Chief Thomas stated that a good culture is important, there has to be a respect for the chain of command and this resulted into a Class A Violation.

File 8: Committee member asked, "Why the findings of this case did not constitute workplace harassment." Chief Thomas explained that the context determined the appropriate violation. Committee member made a follow up comment on how the punishment levied by the apartment towards the officer in question, lacked "teeth" as a punishment and that there needs to be an adaption to generational changes. Chief Thomas explained that the officer in question was up for a promotion and that was pulled due to this incident. A suspension in law enforcement whether it is one day or months is HUGE.

Executive Director asked the question of what are the avenues for officers if their mental health is not being addressed

File 12: Committee member brought up Crisis Intervention Training due to the case. Dr. Charles Lomax Jr. asked Chief Thomas what is the recertification timetable for training. Chief Thomas did not know and promised to provide an answer next quarterly meeting.

File 13: Committee member asked Chief Thomas to provide the definition for "terry pat" that officers will do on civilians. Chief Thomas explained that if an officer(s) has reasonable suspicion of an individual (armed or engaged in criminal conduct), that officer can briefly detain said citizen and perform an individual "pat-down search" on the outer clothing.

File 14: Committee member stated to Chief Thomas that the comments made by the officer in this case were appalling. In addition, the committee member wondered why KPD did not worry about these comments by this officer on social media. The committee member felt that this officer has clear anger issues. Chief Thomas explained that this officer had his/her first amendment right and his/her views never were expressed on behalf of KPD on a professional capacity. These comments were done through a private group. Chief Thomas reiterated that KPD is held to higher standard due to the nature of the job and that department is paying attention to employees in terms of social media and other outlets of mass communication. Chief Thomas added that KPD has a challenge to provide concrete ideas to engage the Black community and will try to provide that for next quarterly meeting

Committee Business and Concerns to be Addressed

There were no committee business & concerns

PUBLIC FORUM

One member of the community requested to speak during public forum. Caitla Southall shared concerns about the officer involved shooting of Anthony Thompson Jr.

COMMUNITY UPDATES

There were no community updates

ADJOURN

Committee member made a motion to have the meeting adjourn. The motion was seconded by another committee member.