

**Police Advisory and Review Committee**  
**3<sup>rd</sup> Quarter-December 1, 2022**  
**(July 1, 2022- September 30, 2022)**  
**Meeting Minutes**

Meeting was called to order by Chairperson, Star Starks at 6:00 p.m.

<b>PARC Members Present</b>	Star Starks, Dr. Leticia Flores, Heidi Barcus, Jonathan Haskell, Jered Croom, Ken St. Germain, Reico Hopewell
<b>PARC Members Absent</b>	N/A
<b>PARC Staff Present</b>	Tiffany Davidson (Executive Director), Marcus Rudolph (Investigative Manager)
<b>KPD/City of Knoxville Staff</b>	Chief of Police Paul Noel, Sgt. Rachel Britt, Sgt. Amanda Bunch, Attorney Ron Mills

**Speaker(s):**

Candace Allen (Sr. Director of Adult Intensive Mental Health Services- Helen Ross McNabb Center) addressed the committee to share insight on the Co-Response model in partnership with KPD.

**Approval of Second Quarter Minutes:**

Jered Croom made the motion to approve the minutes for the Q2 meeting. Dr. Leticia Flores seconded. There were no changes or adjustments to the meeting minutes and they were approved unanimously.

**Executive Director's Report**

Tiffany Davidson provided the following E.D. report for the 3<sup>rd</sup> 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:

<b>Total IAU/RAF Cases Audited by the Committee</b>	7
<b>Officer(s) Disciplined</b>	4
<b>Civilian Employee(s) Disciplined</b>	1

<b>Disciplines Imposed by KPD</b>	<b>Number of Officers</b>
Written Reprimand	3
Oral Reprimand	1
Verbal Counseling	0
Suspension	0
Termination	1

**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:
  - 1.4- Conformance to Laws
  - 1.36- Harassment
  - 2.3- Prisoner Transportation
- Code of Conduct:
  - 1.00- Insubordination
  - 1.02- Neglect of Duty
  - 1.19- Unbecoming Conduct
  - 1.21- Unsatisfactory Performance
  - 1.32- Submitting Departmental Report
  - 1.35- Processing Property & Evidence
  - 1.41- Court Responsibility

### **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

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-South District
    - KPD Supervisor's Training
  - Networking/Training:
    - Executive Director attended the National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference
- The Investigative Manager:
  - Participated in Ride Along with Sgt. Jimmy Wilson
  - Actively participated in networking and training opportunities with the:
    - Alternative Dispute Resolution Committee Training and Education
    - Community Mediation Center/PARC collaboration meeting to discuss mediation efforts with Law Enforcement
    - TN Association of Professional Mediators

### **Recent Development(s)**

PARC initiated an Operating Agreement with KPD. Chief Noel has been welcoming and willing to collaborate on this collective effort. The Operating Agreement is the first formal agreement between PARC and KPD in 24 years. This Agreement will outline the collaboration and understanding of both duties/responsibilities each entity has. You can find a copy of the agreement in your packet or on PARC's webpage.

### **Subcommittee Reports**

#### **Audio/Video:**

*Committee member Dr. Leticia Flores provided the A/V report for the 3<sup>rd</sup> Quarter.*

Of the two (2) Referral Action Forms and seven (5) Internal Affairs Cases reviewed by the PARC, there were two (2) 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 3<sup>rd</sup> Quarter review:**

File Number	Type of Report	Review
4	IAU Case 22-2878	The officers involved where from Knox Co. Sheriff's Office. While they policies do not apply to PARC's oversight, we were able to view footage of the situation based on all officer's body cameras being engaged.
5	IAU Case 21-2863	The Transportation Officer failed to activate his body camera prior to removing the prisoner from the back of the officer's vehicle. As a result of the delayed activation of the body camera (29 seconds), no audio was recorded for the first few seconds of the interactions.

**A review of audio/video was not relevant to IAU Files 1-3.**

**For Referral Action Forms (File 6 and 7), the complainant filed the complaints via a phone call. So, no audio/body camera footage was available for review.**

### **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/Bias Based Policing**

*Committee Member Ken St. Germain provided the Racial Profiling/Bias Based Policing Report*

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

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## **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 Reports.

*The following report provides a total for Third Quarter Cases*

<b>-Cases Reviewed-</b>	
<b>KPD</b>	
IAU Completed Cases	<b>7</b>
IAU-Referral Action Forms	<b>2</b>
	<b>9</b>
<b>PARC</b>	
Community Complaints received via PARC office	<b>4</b>
Community Complaints referred to IAU or a Captain	<b>4</b>
<b>-Total Cases Received</b> *Includes IAU and PARC initiated Complaints	<b>13</b>
<b>-Total Case(s) Pending-</b> *Complaint(s) that are awaiting review by PARC upon the completion of a KPD investigation.	<b>1</b>
<b>-Total Cases Closed-</b> *Overall number of cases reviewed and closed by PARC staff	<b>12</b>
<b>-Resolution of Community Complaint Cases-</b>	
PARC Staff	<b>0</b>
KPD *KPD made contact with the complainant and the complainant decided to not move forward with a formal investigation <u>or</u> KPD conducted the investigation and shared their findings with the complainant directly	<b>3</b>
Mediation: PARC Staff & KPD *PARC staff met with the complainant and KPD to provide mediation services to resolve issues & concerns	<b>0</b>
Referrals to Appropriate Agencies *PARC office received a call(s) regarding issues involving other law enforcement departments	<b>0</b>

Case Matters Addressed by the Committee:

**File #: 1**

**Referral Action Form:** Yes or **No**

Internal Affairs Case #: IAU 22-2869

- Is there a KPD policy around dating co-workers/superiors? If so, are they expected to inform Human Resources of their relationship? **There is not.**
- Is there a policy reason that would explain why Simmons and Bohon didn't want to divulge their relationship? **It's a very personal matter involving their private lives that they're under no obligation to divulge.**
- Officer Bohon said she had been drinking. Do you believe that she was under the influence? **That's impossible to say seeing as how IAU was not on scene at the time.**
- She also alleged that there were two black men. If she was under the influence and it was dark, how would she know indefinitely the 2 people that attacked her were black and men. **Being under the influence is different than being intoxicated. Also, this occurred in such close proximity that even in the dark, a reasonable person would be able to ascertain skin color from that incident.**
- Officer Bohon stated that she took pictures of her injuries on the night of the alleged incident. How did the IAU determine that those were original? **They were time/date stamped on her iPhone.**

#### **File #: 2**

**Referral Action Form:** Yes or **No**

Internal Affairs Case #: 20-2826

**No questions were asked of this case.**

#### **File #3**

**Referral Action Form:** Yes or **No** Internal Affairs Case #: 21-2842

- Was he drug tested during this investigation? **No. When this investigation started, he was on medical leave and not at work.**
- Was his case referred to the DA for review? **No. This was an administrative investigation not a criminal investigation.**
- Is there any way to catch this level of misconduct in the department? This case seems to be one of happenstance? **Often times misconduct is caught by happenstance, such as this case. Once it came to light an investigation was opened immediately.**

#### **File #4**

**Referral Action Form:** Yes or **No** Internal Affairs Case #: 22-2878

- Are there voluntary programs that officers can access if they think they have anger or other emotional issues (EAP: Employee Assistance Program) voluntarily? **Yes**
- Despite formal charges being dropped, does KPD ever keep an informal eye on officers who are involved in such domestic conflicts, especially with children involved? Is therapy or other interventions ever recommended? **Yes of course and we have EAP available for any needs**

#### **File #5**

**Referral Action Form:** Yes or **No** Internal Affairs Case #: 21-2863

- Is there a policy on responding to medical requests for assistance from prisoners being transported? **G.O. 2.3- Request for someone to provide a summary of this G.O.**
- In the review of the video, the investigating officer states that the victim can be heard asking for help; describing the pain as a heart attack. When the victim laid his head down, TO Mojica did not check in with him. **TO Mojica stated he did not hear him stating his chest hurt or he would have checked on him**
- With his erratic behaviors allegedly described by the other detainees that night, did no one make mention that he was crying out for help? Did TO Mojica not call

out to him to question what was happening? TO Mojica advised that people on narcotics can often act erratic during transport which is why this behavior did not seem out of ordinary.

**File #6**

**Referral Action Form:** Yes or No Internal Affairs Case #: N/A

- Is there a way to possibly connect those who seem to present with acute mental illness to a local mental health provider through the collaboration KPD has with various agencies in the city? Yes, I am going to refer her to the Co-Responder Unit for follow-up.

**File #7**

**Referral Action Form:** Yes or No Internal Affairs Case #: N/A

**No questions were asked of this case.**

**Public Forum:**

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

**Community Updates:**

No updates were provided.

**Adjourn:**

Meeting adjourned at 7:40 p.m.