



2nd Quarter Review-Meeting Agenda

Thursday, September 14, 2023

Public Works Complex-Community Room

6:00 P.M.

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- I. Call to Order
 - II. Welcome
 - III. Mission/Vision/Rules of Decorum
 - IV. Approval of 2023-Q1 Meeting Minutes
 - V. Executive Director's Report
 - VI. Subcommittee Reports
 - a. Audio/Visual
 - b. Racial Profiling
 - c. Operations/Case Review
 - VII. Case Matters Addressed by the Committee
 - VIII. Committee Business
 - IX. Speaker
 - a. Donna Mitchell, LCSW – President & CEO, Covenant Counseling
 - X. Forum
 - XI. Community Updates
 - XII. Adjourn



MISSION

The mission of the Police Advisory & Review Committee (PARC) is to provide community members of the City of Knoxville a civilian oversight committee that audits the discipline process, policies, and procedures of the Knoxville Police Department (KPD).

PURPOSE

The purpose of PARC is to strengthen the relationship between community members of the City of Knoxville and the Knoxville Police Department, by providing a timely, fair, and an objective review of community complaints.

PARC also assists community members in navigating the investigative process after filing a complaint with KPD.

RULES OF DECORUM

- Those who wish to speak during public forum - should sign up by contacting the PARC office ahead time or by signing up in person prior to the start of the meeting at 6:00 p.m.
- All speakers will be given 5 minutes.
- Please do not use profanity and remember to stay on topic.
- Those who fail to adhere to those rules may be ruled *Out of Order* and asked to step away from the podium.
- For those who are listening, please note that you may not disrupt a public meeting from the audience. Those who do may be asked to leave.

We appreciate everyone's respect for these rules.



Executive Director's Report 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 OPS Cases Audited by the Committee	2
Officer(s) Disciplined	1
Civilian Employee(s) Disciplined	0

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

1 officer resigned prior to the conclusion of the investigation

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:
 - 1.6- Use of Force
- Code of Conduct:
 - 1.19- Unbecoming Conduct
 - 1.21- Unsatisfactory Performance
 - 1.24- Use of Force
 - 2.07- Truthfulness
 - 3.00- Courtesy

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 / OPS staff
 - Witness officer disciplinary hearings



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

Networking, Speaking Engagements, and Training

- The Executive Director:
 - Speaking Engagement:
 - Green Magnet Academy
 - KPD Citizens Police Academy
 - Networking/Training:
 - Executive Director attended NACOLE webinar training
 - Attended KCDC block parties/back to school parties
 - Attended the Tennessee Black Caucus Town Hall
 - Met with Juvenile Court Director: Richard Bean Juvenile Detention Center
 - Met with Director of Centro Hispano
 - Met with Muslim Community of Knoxville
 - Met with the YWCA: Phyllis Wheatley Center
 - Met with Knoxville Jewish Community Leaders
 - Met with Knoxville Area Urban League

- The Community Manager:
 - Completed the Citizen Police Academy
 - Attended KCDC block parties/back to school parties
 - Met with clergy from Episcopal Diocese of East Tennessee
 - Attended NACOLE webinar training



**Audio Video Report
2nd Quarter
(April 1- July 31, 2023)**

Of the four (4) Referral Action Forms and two (2) Internal Affairs Cases reviewed by the PARC, there were (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 2nd Quarter review:

File Number	Type of Report	Review
1	IAU Case 23-2905	The audio/video equipment for the involved officer was functioning properly and captured the incident being reviewed.
2	IAU Case 22-2889	The audio/video equipment for the involved officer was functioning properly and captured the incident being reviewed. Audio was terminated during interaction with other officer(s) in accordance to General Order 2.16.

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 Report
2nd Quarter
(April 1- July 31, 2022)**

There were **5** alleged racial profiling/bias based policing cases reviewed by PARC during this 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.



**2nd Quarter Operations Report
(April 1, 2023 –July 31, 2023)**

The following report provides a total for First Quarter Cases

-Cases Reviewed-	
KPD	
Closed IAU and/or Referral Action Form Cases	2
PARC	
Community Complaints received via PARC office	16
Community Complaints referred to IAU or a Captain	0
-Total Cases Received *Includes IAU and Complaints to PARC	18
-Total Case(s) Pending- *Complaint(s) that are awaiting review by PARC upon the completion of a KPD investigation.	0
-Total Cases Closed- *Overall number of cases reviewed and closed by PARC staff	18
-Resolution of Community Complaint Cases-	
PARC Staff	16
KPD *KPD contacted the complainant and the complainant decided to not move forward with a formal investigation or KPD conducted the investigation and shared their findings with the complainant directly	0
Mediation: PARC Staff & KPD *PARC staff met with the complainant 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	0



PARC
Year-to-Year Comparison Operations Report

	1/1/22-12/31/22	1/1/23-7/31/23
Total Cases brought to PARC from 9/22/98 to Present	2713	2756
Total Cases Closed from 9/22/98 to Present	2650	2696
Cases Resolved by PARC Office	18	23
Resolved by Mediation between PARC office and KPD	0	1
Resolved by KPD	20	4
Referrals to Appropriate Agencies	3	9
Total Cases Pending	1	0
PARC Cases Referred to IAU or Captain for the year	14	5
IAU Cases Reviewed by PARC Staff and Committee		
• Internal Affairs	13	14
• Referral Action Forms	8	0



**2023 2nd Quarter
Internal Affairs Unit Case Review**

File #	Case Type	Complaint Type	Internal Affairs Unit Findings
1	IAU Case # 23-2905	General Order 2.3, Prisoner Transportation (54); Code of Conduct 1.00, Insubordination.	First Degree – Sustained Seventh Degree – Infraction Not Based Upon Original Complaint
2	IAU Case # 22-2889	General Order 2.8; Codes of Conduct 1.03, 1.04, 1.21, 1.39.	First Degree – Sustained Seventh Degree – Infraction Not Based Upon Original Complaint

Meanings:

Referral Action Form- Complaints consists of: rudeness, language, courtesy, citations issues, etc. may be documented on a "Referral Action Form" and forwarded to the Officers Supervisor. The Internal Affairs Unit (IAU) typically does not conduct investigations related to referrals, but will review all referrals to ensure their accuracy and completion.

Internal Affairs Unit Case: Complaints that consist of: deadly force, allegations of corruption, misuse of force, criminal misconduct, etc. will be investigated by the Internal Affairs Unit. Should an investigation uncover criminal conduct it would be turned over to the Criminal Investigative Unit (CID) of the Knoxville Police Department or in some cases the Tennessee Bureau of Investigation (TBI).

The Police Advisory and Review Committee (PARC) is tasked with either concurring or not concurring with the completeness of case investigations provided for review by KPD's Internal Affairs Unit, in which committee members are able to ask questions and address concerns pertaining to the cases reviewed. PARC cannot impose discipline upon KPD officers. Instead, recommendations for discipline can be made to the Chief of Police at which they decide how to move forward.

Disposition Classifications:

First Degree-Sustained: The allegation is supported by sufficient evidence to believe the incident occurred. Recommendation for appropriate disciplinary action is made.

Second Degree-Not Sustained: Investigation discloses insufficient evidence either to prove or disprove the allegation.

Third Degree-Exonerated: The incident complained of occurred; however, the actions of the employee were lawful and proper.

Fourth Degree- Unfounded: The investigation disclosed that the allegation complained of never occurred and is therefore false



Fifth Degree-Policy Failure: If the complaint investigation concludes that the allegation is true, but the employee's actions were consistent with department policy, the complaint will be classified as "exonerated-policy failure".

Sixth Degree-Partially Sustained: The incident has two (2) or more allegations and at least one (1) of the allegations is sustained.

Seventh Degree-Infraction Not Based Upon Original Complaint: A substantiated infraction not mentioned in the initial allegation was disclosed by the investigator.