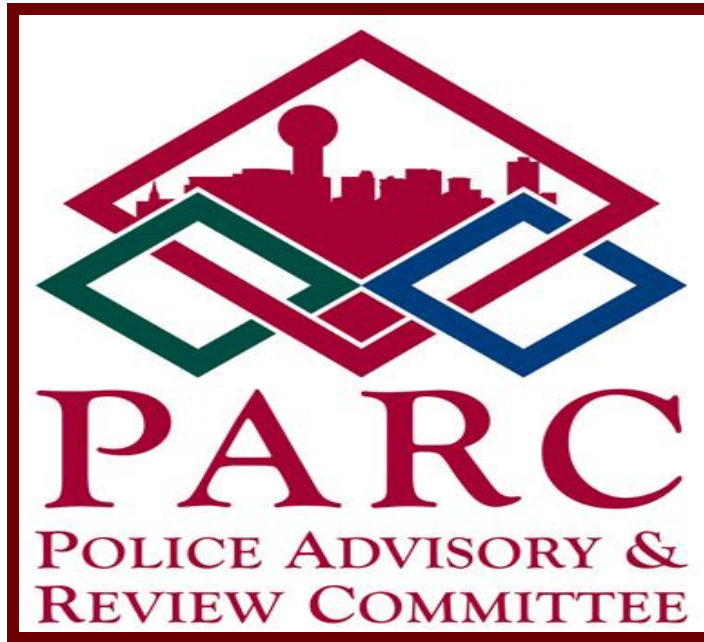


ANNUAL REPORT 2017



*City of Knoxville
Madeline Rogero, Mayor*



CITY OF KNOXVILLE

TABLE OF CONTENTS

CREATION OF PARC	1
Mission & Purpose.....	1
COMMITTEE MEMBERS.....	2
TERM STATUS OF COMMITTEE MEMBERS	3
PARC Staff	3
CHAIRMAN’S REPORT	4
EXECUTIVE DIRECTOR’S LETTER.....	6
REPORT OF OPERATIONS.....	7
CITY ORDINANCE.....	9

Police Advisory & Review Committee

PARC was created by Executive Order on September 22, 1998 and was adopted by City Ordinance on May 29, 2001. It is designed to be an independent agency with the authority to review and/or investigate allegations of misconduct filed by the public against the Knoxville Police Department (KPD).

The Committee is composed of seven citizens of the City of Knoxville, appointed by the Mayor and approved by City Council for a term of three years. No member may serve more than two (2) consecutive terms.

Mission

The mission of the Police Advisory and Review Committee (PARC) is to provide the citizens of the City of Knoxville a civilian oversight committee to audit the discipline process and the policies and procedures of the Knoxville Police Department (KPD).

Purpose

The purpose is to strengthen the relationship between the citizens of the City of Knoxville and the KPD, to assure timely, fair and objective review of citizen complaints while protecting the individual rights of police officers, and to make recommendations concerning citizen complaints to the Chief of Police and to the Mayor.

*POLICE ADVISORY AND REVIEW
COMMITTEE 2017 MEMBERS*



Rosa Mar, Chairperson



LaKenya Middlebrook, Vice Chairperson



Robbie Arrington



Robert Gibson



Ann Barker



Jered Croom



Frank Shanklin

POLICE ADVISORY AND REVIEW COMMITTEE CITY OF KNOXVILLE

DECEMBER 31, 2017

TERM STATUS OF COMMITTEE MEMBERS

Ms. Rosa Mar Hispanic Community	Term to Expire June 30, 2018
Ms. LaKenya Middlebrook Private Law	Term to Expire June 30, 2019
Mr. Jered Croom Grass Roots Community	Term to Expire June 30, 2020
Mr. Robbie Arrington Public Relations	Term to Expire June 30, 2019
Ms. Ann Barker Conflict Resolution Professional	Term to Expire June 30, 2018
Mr. Robert Gibson Retired FBI Agent	Term to Expire June 30, 2020
Mr. Frank Shanklin African-American Community	Term to Expire June 30, 2019

STAFF

Clarence L. Vaughn, III
Executive Director

Lisa Chambers
Administrative Assistant

*Police Advisory & Review Committee
400 Main Street, Suite 538
Knoxville, Tennessee 37902*

*PARC
Committee Members:*

*Ms. Rosa Mar
Chairperson*

*Ms. LaKenya
Middlebrook
Vice-Chairperson*

Mr. Frank Shanklin

Mr. Jered Croom

Mr. Robbie Arvington

Mr. Robert Gibson

Ms. Ann Barker

Staff:

*Clarence Vaughn, III
Executive Director*

*Lisa Chambers
Administrative Assistant*

Phone:
(865) 215-3869

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(865) 215-2211

E-mail:
cvaughn@knoxvilletn.gov



Established by
Executive Order
September 22, 1998
&

Adopted by
City Ordinance
May 29, 2001

December 31, 2017

The Honorable Madeline Rogero, Mayor
Knoxville City Council
David B. Rausch, Chief of Police

Dear Mayor Rogero, Council Members and Chief Rausch:

Enclosed is the 2017 annual report of the Police Advisory and Review Committee (PARC) prepared in accordance with the City of Knoxville Ordinance Number 0-194-01 adopting the Police Advisory and Review Committee (PARC or the Committee) approved May 29, 2001.

On May 9th, 2016, Mr. Clarence Vaughn III was hired from among eight highly qualified candidates as the new PARC Executive Director, replacing Ms. Avice Reid who served over eight years in this position prior to being named as the City of Knoxville's Senior Director of Community Relations by Mayor Rogero. After his appointment, Mr. Vaughn completed the Knoxville Police Department (KPD) Citizens Academy, Knox County District Attorney's Inaugural Citizen's Academy, Federal Bureau of Investigations (FBI) Citizen's Academy, and the Tennessee Bureau of Investigations (TBI) Citizen's Academy. Mr. Vaughn and his Administrative Assistant Ms. Lisa Chambers continue to capably serve PARC and the community to improve relationships between the KPD and the citizens of Knoxville. Mr. Vaughn has also spearheaded updating the PARC website and increasing the committee's presence and outreach on social media.

In 2017, PARC received 88 cases, an increase of one case from the previous year. PARC closed a total of 86 cases which included two cases pending from 2016. Of the closed cases, 50 were resolved by Executive Director, 4 were resolved through mediation by the Executive Director and KPD, 13 Referrals to Appropriate Agencies and 19 were resolved by KPD. Despite the ongoing turmoil surrounding citizen/police divisiveness in many US cities, the similarities in case numbers from 2016 suggest that the Knoxville community has faith that citizen concerns and complaints against KPD are being addressed fairly and comprehensively. Despite this positive outlook, PARC pledges to maintain its vigilance in resolving issues and complaints to improve upon the relationship between KPD and the community it serves.

The Executive Director, with the encouragement of the Committee, has been proactive in participating and seeking out meetings with citizens outside of the PARC office to promote the program, discuss concerns, complaints, and to develop plans for successful resolutions. He makes himself available to accompany citizens to the KPD Internal Affairs Unit to file formal complaints and discuss related issues when the resident does not trust the process or is ill at ease and unsure of the process. The Executive Director also encourages mediation between citizens and the police to resolve issues including understanding of laws; perceptions of professional behavior; lack of communication; and words or actions that are perceived as threatening, rude or disrespectful. Additionally, he continues to assist individual citizens and neighborhood groups in resolving their complaints by working with police officers and KPD Units to effectuate a plan to concentrate on current neighborhood and individual concerns.

In 2017, the Executive Director continued his service on the Knoxville Police Department's Training Committee as an avenue for citizen input on future training projects as well as to continue to update KPD's recruit and in-service training programs. All newly appointed PARC committee members participated in the KPD Citizens Academy thereby all current PARC committee member have successfully graduated from the KPD Citizens Academy.

In 2015, PARC began offering short training presentations by KPD staff, police trainers and technical personnel at the quarterly meetings. These sessions were continued in 2017 to further educate the citizenry and committee members on KPD and police operations in general. Based on the audience participation and the number of questions posed after each presentation, these short training sessions are well received and serve to increase meeting turnout by citizens seeking a better understanding of police operations.

This continued focus on training of KPD officers, committee members and the citizens of Knoxville clearly reflects a commitment by the Executive Director for continuous improvement in PARC's ability to effectively fulfill its mission. In addition to his and the Committee's commitment to training, the Executive Director met monthly with the East Tennessee Civil Rights Working Group, a networking group of community leaders, civil rights advocates, law enforcement agencies and concerned citizens who work together to help detect and prevent hate crimes and civil rights violations. The Executive Director serves on the planning committee for the National Association of Civilian Oversight for Law Enforcement, which hosted its 23rd Annual Conference in Spokane, Washington.

Throughout the year, the Committee and the Executive Director strived to improve coordination and communication with the Internal Affairs Unit and senior staff of the KPD. KPD's participation in quarterly PARC meetings coupled with their willingness to answer questions and meet with citizens because of issues brought up at the meetings continues to be excellent. PARC subcommittees monitor cases wherein racial profiling may be involved as well as the utilization and effectiveness of KPD audio/video equipment, case referrals and trends in complaints. The Executive Director meets with KPD's Internal Affairs staff regularly to view video and audio tapes, discuss concerns and to get clarification on specific cases.

PARC's quarterly meetings in 2017 have been held in various sectors of the city as follows: Arnstein Jewish Community Center; City County Building, Wesley House Community Center, and at the Knox County Education Association. Citizen attendance and participation has been good and the dialogue between the Committee, citizens and KPD has been helpful and beneficial to all participants. PARC has been very fortunate and blessed to have the continued support of community leaders and citizens who attend the quarterly meetings. Many of these regular attendees conduct their own recruitment efforts, for which PARC is very appreciative.

On a final note, please be assured that PARC strives to ensure that its procedures, operations and communications are always courteous, respectful and in full compliance with the Tennessee Open Records Act, as well as other statutes and ordinances. As always, the Committee welcomes any input from the Mayor, City Council, Knoxville Police Department and the citizens of Knoxville. Any concerns or issues raised will be addressed and responded to in a timely manner. Attached to this letter is a comparative report of matters addressed by PARC and its Executive Director for the years 2016 and 2017.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rosa Mar', written in a cursive style.

Rosa Mar, Chairperson
Police Advisory and Review Committee



Since its creation, PARC has continued to champion citizen concerns and address issues in a timely manner. Over the past year we were able to work closely with PARC committee members and community leaders in voicing citizen concerns and improving relationships with the Knoxville Police Department.

By focusing on areas that involve allegations of misconduct and improper behaviors of the Knoxville Police Department, PARC remains committed to its primary goal of enhancing citizen awareness and involvement in issues that impact their neighborhoods and communities.

PARC continues to host quarterly meetings to ensure that citizens of Knoxville and local areas are provided a platform to openly discuss key concerns. In addition, PARC is very thankful for the training sessions provided by the Knoxville Police Department during our quarterly meetings. The training sessions are geared towards discussions related to public safety, investigative practices and community involvement.

In the coming year, PARC plans to remain heavily involved in community-led groups and organizations that are geared towards the betterment of the City of Knoxville. Civilian Oversight provides community members and law enforcement with effective ways to enhance transparency and review best practices in maintaining a welcoming environment for all citizens.

As Executive Director of the Police Advisory Review Committee, I would like to thank Mayor Madeline Rogero, City Council and the Community for their continued support and involvement.

Respectfully,

A handwritten signature in black ink that reads "Clarence L. Vaughn III". The signature is written in a cursive style with a prominent "III" at the end.

Clarence L. Vaughn III
Executive Director
Police Advisory and Review Committee

**POLICE ADVISORY AND REVIEW COMMITTEE
CITY OF KNOXVILLE
REPORT OF OPERATIONS
JANUARY 1, 2017 – DECEMBER 31, 2017**

	<u>01/01/16 - 12/31/16</u>		<u>01/01/17 – 12/31/17</u>	
1. TOTAL CASES BROUGHT TO PARC 9/22/98 TO PRESENT: <u>2516</u>	<u>87</u>		<u>88</u>	
a) Case(s) brought by Neighborhood Association	0		1	
2. TOTAL CASES CLOSED 9/22/98 TO PRESENT: <u>2514</u>	<u>99**</u>		<u>86*</u>	
a) Resolved by Executive Director	62		50	
b) Resolved by Mediation Executive Director & KPD	17		4	
c) Referrals to Appropriate Agencies	13		13	
d) Resolved by KPD	7		19	
e) Resolved by Executive Assistant	0		0	
f) Resolved by Executive Assistant & KPD	0		0	
3. TOTAL CASES PENDING: <u>2</u>			<u>2</u>	
4. PARC Cases Referred to IAU for the year	<u>0</u>		<u>3</u>	
5. IAU Cases Reviewed by the PARC Executive Director & Committee (Total cases reviewed, year to date that includes PARC to IAU and IAU cases only)	<u>20</u>		<u>16</u>	
a. PARC to IAU	0		3	
b. IAU Cases	20		10	
c. IAU Referral			6	
6. IAU case conclusions concurred with the Executive Director and Committee with no further review	<u>14</u>		<u>13</u>	
7. IAU case conclusions not concurred with the Executive Director and Committee and Committee			<u>1</u>	
8. IAU cases reviewed by the Executive Director and Committee where additional investigation was requested	<u>8</u>		<u>6</u>	
9. Ethnic/Gender origin of case complainants:	<u>Total #</u>	<u>% of Total</u>	<u>Total #</u>	<u>% of Total</u>
White Male:	21	24%	24	28%
White Female:	17	20%	25	29%
Total:	38	44%	49	57%
African American Male:	15	18%	19	23%
African American Female:	12	15%	17	20%
Total:	27	33%	36	43%
Hispanic Male:	0	0%	1	0%
Hispanic Female:	0	0%	0	0%
Total:	0	0%	1	0%
Asian American Male:	0	0%	0	0%
Asian American Female:	0	0%	0	0%
Total:	0	0%	0	0%
Native American Male:	0	0%	0	0%
Native American Female:	0	0%	0	0%
Total:	0	0%	0	0%
Unknown Male:	11	14%	0	0%
Unknown Female:	5	1%	0	0%
Unknown:	6	1%	0	0%
Total:	22	16%	0	0%
Other Male:	0	0%	0	0%
Other Female:	0	0%	0	0%
Total:	0	0%	0	0%
TOTAL CASES:	87	100%	86	100%

* Includes (2) Cases Closed from 2016/** Includes (12) Cases Closed from 2015

PARC NATURE OF CASES (YEAR-TO-DATE)
01/01/17– 12/31/17

(Note: Some complaints involve more than one type of allegation; therefore, the total may exceed the total number of complaints received)

TYPES OF COMPLAINTS RECEIVED YEAR-TO-DATE

Citizen's Advocate	19
Complaints Against Other Agencies or Referrals	10
Excessive Force	5
Failure to Investigate/Injustice Regarding Investigation	11
Failure/Refusal to Make/Complete A Report	5
False Accusation/Reputation Damaged by Investigation	3
Harassment	4
Inaccurate Accident/Incident Report or Biased	1
Injustice Regarding A Minor/Juvenile	4
KPD Failure To Provide Adequate Interpreter	1
KPD Support Services: School Crossing Guards (Safety)	1
Officer Violating Traffic Laws	4
Racial Profiling	5
Unbecoming/Unprofessional Conduct	17
Bias Based Policing	1
Wrongful Citation or Arrest	7
Total:	98



CITY OF KNOXVILLE

**POLICE ADVISORY
&
REVIEW COMMITTEE**

Ordinance No: 0-194-01

ORDINANCE NO: 0-194-01

REVISED

12a.

ORDINANCE

AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO AMEND THE KNOXVILLE CITY CODE, CHAPTER 2, ARTICLE X, TO CREATE THE POLICE ADVISORY AND REVIEW COMMITTEE.

ORDINANCE NO: 0-194-01
REQUESTED BY: Mayor and Councilmembers Sharp, Cox, Malone, Shouse & Wyn
PREPARED BY: Law
APPROVED AS TO FORM AND CORRECTNESS: Director of Law
APPROVED ON 1ST READING: _____
APPROVED ON 2ND READING: _____
APPROVED AS AN EMERGENCY MEASURE: 5-29-01
MINUTE BOOK 65 PAGE _____

WHEREAS, the Council of the City of Knoxville believes that a strong and close relationship between the Knoxville Police Department and the citizens of the City of Knoxville is an integral part of a progressive, responsive and responsible city government; and

WHEREAS, essential to such a relationship is the community's respect for and trust in the Knoxville Police Department; and

WHEREAS, the Knoxville Police Department has made great strides in its relationship with citizens in all areas of Knoxville through its commitment to community

oriented policing, and has been proactive in reaching out to citizens and community leaders for input and assistance; and

WHEREAS, the Police Advisory and Review Committee, established by Executive Order of the Mayor on September 22, 1998 is recognized as a great advance in relations between the citizens of the City of Knoxville and the Knoxville Police Department; and

WHEREAS, recognizing the need to allow the citizens of the City of Knoxville to assume a greater role in guiding the Knoxville Police Department in matters of public concern, including the examination of citizen complaints and complaint review procedures, the Council of the City of Knoxville desires to ratify and reestablish the Police Advisory and Review Committee, under the terms previously established by Executive Order of the Mayor, and

WHEREAS, an emergency is declared to exist in that it is necessary for the immediate preservation of the public peace, property, health and safety that this Ordinance take effect immediately upon its passage.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE, TENNESSEE:

SECTION 1: The Code of the City of Knoxville, Chapter 2, is hereby amended by adding the following as a new Article X:

ARTICLE X. POLICE ADVISORY AND REVIEW COMMITTEE

§ 2-1101. Title and Authority.

(a) There is hereby created the Police Advisory and Review Committee for the City of Knoxville.

(b) The Police Advisory and Review Committee is established pursuant to the Council's authority under Article II, § 234 of the Charter of the City of Knoxville and § 2-7 of the Code of Ordinances of the City of Knoxville.

§ 2-1102. Purpose.

The purpose of the Police Advisory and Review Committee is to strengthen the relationship between the citizens of the City of Knoxville and the Knoxville Police Department, to assure timely, fair and objective review of citizen complaints while protecting the individual rights of police officers, and to make recommendations concerning citizen complaints to the Chief of Police, the Mayor and to the Council.

§ 2-1103. Members of the Committee.

- (a) The Committee shall consist of seven (7) members, who shall:
1. possess a reputation for fairness, integrity and responsibility and have demonstrated an active interest in public affairs and service;
 2. be qualified to vote in Knox County, Tennessee; and
 3. not be a current employee of any governmental body except for those employed in the field of education.

(b) All Committee members shall be appointed by the Mayor and confirmed by the Council. Initial appointments to the Committee shall be made for the following terms:

1. two (2) members of the Committee shall be appointed for one (1) year terms;
2. two (2) members of the Committee shall be appointed for two (2) year terms; and
3. three (3) members of the Committee shall be appointed for three (3) year terms.

All subsequent appointments, except to fill vacancies, shall be for three (3) year terms. Vacancies occurring other than through the expiration of terms shall be filled for the remainder of the term of the member being replaced. No member appointed pursuant to this Article may serve more than two (2) consecutive terms. Upon making the initial appointments to the Committee, the Mayor shall designate one member of the Committee to convene the first regular meeting of the Committee. At its first regular meeting, the Committee shall elect one of its members to serve as chairman. The chairman shall serve a term of one year or until a successor is elected. The chairman may appoint such other officers as deemed appropriate.

(c) Upon the recommendation of the majority of the Committee or upon his own volition, the Mayor, with approval of the Council, may remove any member of the Committee for official misconduct or neglect of duty including but not limited to neglect of any duty specifically enumerated in subsection (f) below. In addition, members who fail to attend three (3) consecutive regular meetings may be considered to have vacated their positions and may be replaced, as provided for herein. Members who cease to have the qualifications provided in subsection (a) of this Section shall be deemed to have forfeited their position.

(d) No member of the Committee shall receive compensation for services performed.

(e) Within six (6) months of being appointed to the Committee, each member shall complete the Citizen's Police Academy course offered by the Knoxville Police Department and such other training as may be deemed appropriate by the Chief of Police.

- (f) Members of the Committee shall at all times:
1. obey all laws regarding an individual's right to privacy and confidentiality of records;
 2. maintain the integrity of Internal Affairs Unit files, personnel files or other files, records or tapes received as a result of the work of the Committee;
 3. excuse themselves from participating in the review of any complaint in which they have a personal, professional or financial conflict of interest; and
 4. conduct themselves at all times in a manner that will maintain public confidence in the fairness, impartiality and integrity of

the Committee, and refrain from making any inappropriate or prejudicial comments regarding any matter being reviewed by the Committee or which may be reasonably expected to be reviewed by the Committee.

§ 2-1104. Committee Staff.

(a) The Committee shall be served by an Executive Director who is selected by the Mayor and approved by the Committee. Upon employment, the Executive Director shall be designated as a non-classified exempt employee of the Department of Community Relations of the City of Knoxville. The Executive Director shall be provided with any necessary support staff or services that may be required in order to fulfill the duties and responsibilities of the position.

(b) The Executive Director shall be furnished with adequate office space, equipment and supplies to carry out duties imposed by this Executive Order.

(c) The Executive Director shall:

1. possess a reputation for fairness, integrity and responsibility and have demonstrated an active interest in public affairs and service;
2. be qualified to vote in Knox County, Tennessee
3. not be a former employee of the Knoxville Police Department or the Knox County Sheriff's Department; and
4. possess prior investigative experience such as would be possessed by an attorney or a law enforcement officer.

(d) The Executive Director shall at all times:

1. obey all laws regarding an individual's right to privacy and confidentiality of records;
2. maintain the integrity of Internal Affairs Unit files, personnel files or other files, records or tapes received as a result of the work of the Committee;
3. excuse himself from participating in the review of any complaint in which he has a personal, professional or financial conflict of interest;
4. conduct himself at all times in a manner that will maintain public confidence in the fairness, impartiality and integrity of

- the Committee, and refrain from making any inappropriate or prejudicial comments regarding any matter being reviewed by the Committee or which may be reasonably expected to be reviewed by the Committee; and
5. comply with all rules and regulations applicable to other employees of the City of Knoxville.

§ 2-1105. Powers and Duties of the Executive Director.

(a) The Executive Director shall accept written, sworn complaints from members of the public regarding misconduct of police officers and shall forward these complaints to the commander of the Internal Affairs Unit of the Knoxville Police Department ("IAU") within three (3) working days. Upon receipt of any such complaint, the IAU shall immediately undertake an investigation of the allegations pursuant to the Standard Operating Procedures of the Knoxville Police Department. The Executive Director may also accept unsworn or anonymous complaints and shall either attempt to resolve such complaints or, if warranted, refer the complaints to the IAU for investigation.

(b) Upon notification by the commander of the IAU that an investigation of an allegation of police misconduct is closed, whether such investigation was prompted by a complaint received by the Executive Director or otherwise, the Executive Director shall review the IAU file or the Referral Action Form and determine whether the investigation is complete.

1. If the Executive Director finds that the investigation is complete, he shall so report to the Committee at its next regularly scheduled meeting, attaching to his report a copy of the IAU case summary or the Referral Action Form and any documentation of disciplinary action pertaining thereto.
2. If the Executive Director finds that the investigation is not complete, he shall so report to the Committee at its next regularly scheduled meeting and shall include in his report an explanation of the specific information needed in his opinion for the investigation to be complete.

(c) At each of the regularly scheduled meetings of the Committee, the Executive Director shall provide a report to the Committee that details the resolution of any unsworn or anonymous complaints that the Executive Director is able to resolve without any investigation by the IAU.

(d) The Executive Director, in his discretion, may request legal services and advice from the Law Department. Where, in the judgment of the Law Director, the provisions of legal services and advice would constitute a conflict of interest with the Law Department's duties to the City of Knoxville or any department thereof, the Law Director shall so advise the Executive Director, who may then request the Law Director to provide outside counsel to the Executive Director.

(e) The Executive Director shall ensure the proper recording of the minutes of the Committee, shall be responsible for the maintenance of proper records and files pertaining to Committee business, and shall receive and record all exhibits, petitions, documents, or other materials presented to the Committee in support of or in opposition to any question before the Committee. The Executive Director shall also be responsible for complying with all statutes and City ordinances regarding notice of meetings and for providing complainants with information regarding the complaint process.

(f) The Executive Director shall be a notary public and shall be responsible for administering oaths to complainants and to witnesses.

(g) The Executive Director shall compile information concerning complaints of police misconduct and any information relevant thereto, whether such complaints are received by the IAU or by the Executive Director, and shall include such information in an annual report to the Mayor, the Chief of Police and the Council of the Committee's activities.

§ 2-1106. Powers and Duties of the Committee.

(a) The Committee shall review all reports of the Executive Director submitted in accordance with the provisions of §§ 2-1105(b) and

(b) After a finding by the Executive Director that an investigation is not complete, the Committee, by a majority vote of its members, may:

1. request the Chief of Police to conduct a further investigation of the incident specifying additional information needed; or
2. in the event the Chief of Police fails to conduct a further investigation as requested by the Committee, direct the Executive Director to further investigate the incident.

Any additional investigative findings shall be reported to the Committee. Upon completion of its inquiry, the Committee shall report its written

findings and conclusions to the Chief of Police, the Mayor and the Council.

(c) As it deems necessary to conduct its affairs in furtherance of its mandate, the Committee shall have access to all public records of the City of Knoxville, including those of the Knoxville Police Department. Such records may include, but are not necessarily limited to, complaints and supporting documents provided by complainants, offense, incident and arrest reports, incident-related documents such as schedules, dispatch notes, dispatch tapes and transcriptions, citations, photographs and records of interviews with complainants, employees, and witnesses. The Committee shall not have access to any non-public records of the City of Knoxville, including employee medical records, or any records that are otherwise exempt from disclosure.

(d) Based upon any specific findings and conclusions of the Committee, the Committee shall have the authority to make recommendations to the Chief of Police designed to improve police policies and activities and to benefit the community. The Chief of Police or his designee shall attend all meetings of the Committee to provide information and advice to the Committee and to accept the recommendations of the Committee, if any.

(e) The Committee shall, at least annually, compile a comprehensive report on its activities. The report shall contain statistics and summaries of citizen complaints, including a comparison of the Committee's findings and conclusions with those of the IAU, along with the actions taken by the Chief of Police. The Committee's annual report shall be submitted to the Executive Director for inclusion in his annual report to the Chief of Police, the Mayor and the Council.

(f) The Committee, in its discretion, may request legal services and advice from the Law Department. Where, in the judgment of the Law Director, the provisions of legal services and advice would constitute a conflict of interest with the Law Department's duties to the City of Knoxville or any department thereof, the Law Director shall so advise the Committee. The Committee may then request the Law Director to provide outside counsel to the Committee. In addition, where the Executive Director excuses himself from participating in the review of a complaint pursuant to § 2-1104(d)(3), the Committee may petition the Mayor to appointment a temporary assistant to perform the duties of the Executive Director.

§ 2-1107. Procedure.

(a) The Committee shall adopt rules of procedure for the transaction of Committee business not inconsistent with the letter and intent of this Article.

(b) Four members of the Committee shall constitute a quorum. No meeting of the Committee shall commence or continue in the absence of a quorum, and a majority vote of those forming a quorum shall be required for any action by the Committee except where otherwise specified in this Article.

(c) Regular meetings of the Committee shall be held no less than quarterly, on the first Wednesday of January, April, July and October or as the Committee may otherwise elect. Any scheduled meeting may be rescheduled at the preceding regular meeting. The chairman and any three (3) members of the Committee may call a special meeting of the Committee upon at least five (5) day's notice.

(d) Committee meetings and records shall be open to the public. The Committee shall provide an opportunity for public comment as to any investigation being reviewed by the Committee pursuant to rules and regulations established by the Committee.

(e) The Committee shall have the power to subpoena witnesses to the IAU or to the Executive Director, as appropriate, and may utilize such power only when necessary to compel witnesses to provide statements in furtherance of an investigation.

§ 2-1108. Limitations.

- (a) The Committee shall not review any investigation:
1. concerning any incident occurring prior to September 22, 1998;
 2. prior to the closure of any IAU or criminal investigation;
 3. while the complainant, the officer(s) complained of, or any witness is actively engaged in pursuing any remedy provided by the Rules and Regulations of the Civil Service Merit Board of the City of Knoxville; or
 3. where the complainant has initiated, threatened or given

notice of the intent to initiate litigation against the City of Knoxville or any of its employees.

(b) The Committee shall have no authority to direct the Chief of Police to alter or, to impose any disciplinary action against any employee of the Knoxville Police Department.

SECTION 2: An emergency is declared to exist in that it is necessary for the immediate preservation of the public peace, property, health and safety that this Ordinance take effect immediately upon its passage.

SECTION 3: This Ordinance shall take effect from and after its passage, the public welfare requiring it.



Presiding Officer of the Council



Cindy A. Mitchell
Recorder



Thanks for Your Continued Support