



3rd and 4th Quarter Review-Meeting Agenda

Thursday, January 25, 2024

City-County Building – Small Assembly 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-Q2 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
 - X. Public 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.

Regular Quarterly Meeting Minutes City of Knoxville Police Advisory Review Committee (PARC) Quarter: 2

Thursday, September 25, 2023

6:00 PM EST

Public Works Service Center: Community Room

1. Call to Order

The meeting was called to order at 6:00 PM EST by Chair Jonathon Haskell.

2. **Welcome**

Chair Jonathan Haskell welcomed the audience.

3. **Mission/Vision/Rules of Decorum**

Chair Jonathan Haskell directed the audience to the Rules of Decorum in the literature available to the public at the meeting.

4. **Roll Call**

Member Name	Title	Status	Arrived
Jonathan Haskell	Chair	Present	
Star Starks	Member	Absent	
Cynthia Deitel	Member	Absent	
Reico Hopewell	Member	Absent	
Leticia Flores	Member	Present	
Saadia Williams	Member	Present	
Heidi Barcus	Member	Present	Late

Also in attendance: Jered Croom (PARC Executive Director); Elijah Winningham (PARC Intern), Chief Paul Noel (KPD), Deputy Chief Bruce Guyton (KPD), Captain Brian Evans (KPD), and Ron Mills (Deputy Law Director).

5. **Approval of 2023-Q1 Meeting Minutes**

At the time of the agenda item, there was no quorum. This agenda item was tabled for later discussion and action. After Heidi Barcus arrived, the Committee revisited. Motion to adopt the minutes by Leticia Flores and properly seconded by Heidi Barcus. Unanimous consent.

6. **Executive Director’s Report**

Given by PARC Executive Jered Croom.

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.

- o 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:
 - o Chief Noel / OPS staff
 - o Witness officer disciplinary hearings

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 concerns.

Networking, Speaking Engagements, and Training

- The Executive Director:
 - o Speaking Engagement:
 - Green Magnet Academy
 - KPD Citizens Police Academy
 - o 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 Investigative Manager:
 - o Completed the Citizen Police Academy
 - o Attended KCDC block parties/back to school parties
 - o Met with clergy from Episcopal Diocese of East Tennessee
 - o Attended NACOLE webinar training

7. Subcommittee Reports

- a. Audio/Visual – given by Leticia Flores.

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.
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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.

- b. Racial Profiling – given by Elijah Winningham.

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.

- c. Operations/Case Review – given by Saadia Williams.

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-	
18	

*Overall number of cases reviewed and closed by PARC staff	
-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 <ul style="list-style-type: none"> • Internal Affairs • Referral Action Forms 	13 8	14 0

8. Speaker

The guest speaker was Donna Mitchell, LMSW (President and CEO of Covenant Counseling) on the topic of *The Psychosocial Factors – Police and the Person/s Involved*.

9. Case Matters Addressed by the Committee

- a. IAU Case 23-2905
- b. IAU Case 23-2889

There was no discussion or additional questions on these two (2) cases.

Internal Affairs Unit Case Review

File #	Case Type	Complaint Type	Internal Affairs Unit Findings
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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.

10. Committee Business

11. Public Forum

- a. Rick Roach
Knoxville, TN
- b. Tyler Givens
Knoxville, TN
- c. Constance Every
Knoxville, TN

12. **Community Updates**

There were no community updates.

13. **Adjournment**

Heidi Barcus moved to adjourn, properly seconded by Leticia Flores. Unanimous consent.



**Executive Director's Report
3rd and 4th 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 are as follows:

Total OPS Cases Audited by the Committee	7
Officer(s) Disciplined	5
Civilian Employee(s) Disciplined	0

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

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: None
- Code of Conduct:
 - 1.04 Conformance to Laws
 - 1.19 Unbecoming Conduct
 - 1.27 Unexcused Absence (Daily)
 - 1.33 Submitting False Reports
 - 2.04 Conduct – General
 - 3.00 Courtesy

Advocacy (Qtr. 3)

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 (Qtr.3)

- The Executive Director:
 - Speaking Engagement:
 - Green Magnet Math and Science Academy
 - Sarah Moore Green Magnet Academy
 - KPD Citizens Police Academy
 - Neighborhood Advisory Council Meeting

- Networking/Training:
 - Executive Director attended NACOLE webinar training
 - Attended KCDC block parties/back to school parties
 - Attended TN Black Caucus Town Hall
 - Met with Juvenile Court Director at Richard Bean Juvenile Detention Center
 - Met with Muslim Community of Knoxville
 - Met with YWCA Phyllis Wheatly Center
 - Met with Knoxville Jewish Community Leaders
 - Met with Knoxville Area Urban League
 - Toured Boys & Girls Club with KPD Leadership
 - Attended Violence Interruption Committee Hearing
 - Attended Knoxville-Knox County Homeless Coalition Meeting
- 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

Advocacy (Qtr.4)

The Executive Director met with the following individuals:

- KPD:
 - Chief Noel / OPS staff (Standing Bi-Monthly Meeting)
 - Attended officer disciplinary hearings
- Community Mediation Center
- Citizen Complaint Review Board (CCRB) of NYC

Networking, Speaking Engagements, and Training (Qtr.4)

- The Executive Director:
 - Speaking Engagement:
 - School of Social Work at UTK
 - Neighborhood Advisory Council panel discussion
 - Community Spelling Bee at Phyllis Wheatley Center
 - Networking/Training:
 - Community Office Hours: KCDC
 - Firefighter Memorial Service
 - SEED Green Tie Gala
 - Interviewed by Knox News Sentinel
 - KPD promotion ceremony
 - Parks and Recreation Halloween Event

- Violence Interruption Committee Meeting
- NACOLE National Conference
- PARC Board Training
- 21st Century Policing & KPD Strategic Planning Sessions
- Call with Communications Assistance for Law Enforcement Act (CALEA) accreditation personnel
- Christmas In Burlington event
- The Investigative Manager:
 - Community Office Hours: Phyllis Wheatly Center – YWCA
 - KPD Promotion Ceremony
 - Parks and Recreation Halloween Event
 - Homeless Coalition Meetings
 - NACOLE National Conference
 - Meeting with the City of New York CCRB
 - Attended KCDC Christmas Party – 5 Points



Audio Video Report
3rd and 4th Quarter
(July 1- December 31, 2023)

Of the four (0) Referral Action Forms and two (7) 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 23-2898	The was no applicable audio/video for this case.
2	IAU Case 22-2908	The audio/video equipment for the involved officer was functioning properly and captured the incident being reviewed.
3	IAU Case 23-2908	This case appears twice because it involves two (2) different officers. Please note the same IAU Case Number. The review is the same as above.
4	IAU Case 23-2909	There was no applicable audio/video for this case.
5	IAU Case 23-2910	There was no applicable audio/video for this case.
6	IAU Case 23-2913	There was no applicable audio/video for this case.
7	IAU Case 23-2919	There was no applicable audio/video for this case.

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
3rd and 4th Quarter
(July 1- December 31, 2023)**

There were **5** alleged racial profiling/bias-based policing cases reviewed by PARC during these Quarter reviews.

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.



3rd and 4th Quarter Operations Report (July 1- December 31, 2023)

The following report provides a total for current Quarter Cases

-Cases Reviewed-	
KPD	
Closed IAU and/or Referral Action Form Cases	7
PARC	
Community Complaints received via PARC office	27
Community Complaints referred to IAU or a Captain	6
-Total Cases Received	
*Includes IAU and Complaints to PARC	43

-Total Case(s) Pending- *Complaint(s) that are awaiting review by PARC upon the completion of a KPD or PARC investigation.	19
-Total Cases Closed- *Overall number of cases reviewed and closed by PARC staff	24
-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 <u>or</u> KPD conducted the investigation and shared their findings with the complainant directly	6
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	6

PARC
Year-to-Year Comparison Operations Report

	1/1/22- 12/31/22	1/1/23- 12/31/23
Total Cases brought to PARC from 9/22/98 to Present	2713	2803
Total Cases Closed from 9/22/98 to Present	2650	2724
Cases Resolved by PARC Office	18	43
Resolved by Mediation between PARC office and KPD	0	1
Resolved by KPD	20	8
Referrals to Appropriate Agencies	3	12
Total Cases Pending	0	19
PARC Cases Referred to IAU or Captain for the year	14	8
IAU Cases Reviewed by PARC Staff and Committee		
- Internal Affairs	13	30
- Referral Action Forms	8	0



**2023 3rd and 4th Quarter
Internal Affairs Unit Case Review**

File #	Case Type	Complaint Type	Internal Affairs Unit Findings
1	IAU Case # 23-2898	Code of Conduct 1.33 - Submitting False Reports	Third Degree – Exonerated
2	IAU Case # 23-2908	Code of Conduct 3.00, Courtesy	First Degree – Sustained; Third Degree – Exonerated
3	IAU Case # 23-2908	Code of Conduct 3.00, Courtesy	First Degree – Sustained; Third Degree – Exonerated
4	IAU Case # 23-2909	Code of Conduct 2.04, Conduct – General	First Degree – Sustained
5	IAU Case # 23-2910	Code of Conduct 2.04, Conduct – General	First Degree – Sustained
6	IAU Case # 23-2913	Code of Conduct 3.00, Courtesy	First Degree – Sustained
7	IAU Case # 23-2919	Codes of Conduct 1.04 - Conformance to Laws, 1.19 - Unbecoming Conduct, 2.04 - Conduct – General 1.27 - Unexcused Absence (Daily)	First Degree – Sustained

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.

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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".

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

