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MEETING OF THE TENNESSEE ADVISORY COMMITTEE
TO THE
UNITED STATES COMMISSION ON CIVIL RIGHTS

CITY/COUNTY BUILDING
SMALL ASSEMBLY ROOM
400 MAIN AVENUE
KNOXVILLE, TENNESSEE, 37902

SEPTEMBER 23RD, 1992
2:00 P.M.

ANN P. WINGO, COURT REPORTER
BROWN & WINGO COURT REPORTING
602 South Gay Street, Suite 704
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Knoxville, Tennessee 37901
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I N D E X

PANEL MEMBERS:

GAIL NEUMAN Chairperson, Nissan Motor Manufacturing
 Corp. Smyrna, Tennessee
TOMMY L. TABOR Memphis, Tennessee
JAMES BLUMSTEIN Vanderbilt University, School of Law,
 Nashville, Tennessee
ROBERT L. KNIGHT Civil Rights Analyst
JOCELYN WURZBURG Memphis, Tennessee
JOHN F. SAWYER Blair School of Music, Nashville,
 Tennessee

SPEAKERS:

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(ADJOURN)		

1 (Whereupon, the meeting is
2 brought to order, and the following
3 proceedings were had, to-wit:)

4 P R O C E E D I N G S

5 CHAIRPERSON NEUMAN: I understand we
6 have a student or students from the University who would
7 like to make a statement at the opening of this panel?

8 MR. KNIGHT: No, that's right, they
9 are not students. There was an incident. We have a
10 request for -- and perhaps your name, sir?

11 (Denny Littlejohn, University of Tennessee
12 Personnel Department.)

13 MR. LITTLEJOHN: Mr. Littlejohn.

14 MR. KNIGHT: Mr. Littlejohn is
15 bringing these two people. They have an incident that
16 occurred here, and they would like for this to be a
17 matter of the record for their presentation, and I'm
18 going to ask that they come now. And then we'll move
19 into the program section.

20 They can come up and state their name
21 and move into that.

22 CHAIRPERSON NEUMAN: Does this -- let
23 me just ask, does this purport to be an incident that is
24 indicative of racial tensions in this community?

25 MR. LITTLEJOHN: Yes, very much. If

1 the incident with Rodney King was, this is similar, and
2 there are some people upset. And we are trying to
3 prevent --

4 MR. KNIGHT: Would you like to just
5 bring -- are you going to bring them up?

6 MR. LITTLEJOHN: These are two friends
7 of mine, who are very fine young people, who were
8 arrested this past weekend after a football game for
9 incidents which are obviously false. And one of the
10 persons was beaten badly. And they simply wanted to --
11 and it's created some tension in our community between
12 white police officers and the black community. We just
13 want the incident to be on record to represent some
14 additional incidents. And since this happened so
15 recently, we just want to make it part of the record.

16 CHAIRPERSON NEUMAN: Mr. Littlejohn,
17 would you introduce yourself and --

18 MR. LITTLEJOHN: Okay. My name is
19 Denny Littlejohn, and this is Clifford Bishop, and this
20 is Trina Wynn. These are the two people that are
21 involved, and they will briefly tell their story. Okay.

22 MR. KNIGHT: Thank you very much.

23 MR. BISHOP: Hi. I'm Clifford Bishop.
24 Without going into full detail, I want to tell you what
25 happened. We was driving along Cumberland Avenue and

1 Trina Wynn was --

2 MR. LITTLEJOHN: I'm going to pass
3 some pictures to you while he's talking.

4 MR. BISHOP: Okay.

5 MR. BLUMSTEIN: Would you give us your
6 name, please?

7 MR. BISHOP: Let me start all over
8 again. My name is Clifford Bishop. We was stopped by
9 U.T. Police officers after a friend of mine was arrested
10 for D.U.I., and I was asked to get out of the car. And
11 like I say, I can't really go into detail, but I was not
12 able to leave. I was held against my will and was asked
13 to do things that I feel that was a insult. And that one
14 thing that happened, I was told to count a certain way on
15 which I was told to count one-Mississippi, stating a
16 state -- you know -- Mississippi. Also, at that -- at
17 that point, I feel that all that and all, that's why I'm
18 here for that reason, okay.

19 And I'm also here because I was beaten
20 and I was not arrested, or do not know why I was being
21 arrested. I was charged, but I don't know what I was
22 arrested for. And that was a result of being handcuffed;
23 I was in handcuffs. I did not receive any injury until I
24 was handcuffed tightly. It was five police officers
25 there. They could have easily put me in the car. It was

1 only one police officer that was involved in the beating.
2 Everything happened while I was handcuffed. And without
3 going into detail, that's all really I can say. And I'll
4 end it there.

5 MR. KNIGHT: Was this local police?

6 MR. BISHOP: No, it was not local --
7 City hpolice, this was the University of Tennessee
8 Police.

9 MR. KNIGHT: University of Tennessee
10 Police?

11 MR. BISHOP: Yes.

12 MR. SAWYER: You were not drinking, is
13 that correct?

14 MR. BISHOP: No, I was not arrested
15 for that, and I was not drinking. That's the point I
16 wanted to make. As you know, the question that you
17 asked, I feel like being a black young man, you are
18 assumed to be either drinking or doing something; and
19 that is the first question I am asked, was I drinking.
20 What was I doing? I mean, why can't I just be riding
21 around in the car, and being a respectable young man, and
22 have not ever been arrested or been in trouble.

23 I grew up in the project which I grew
24 up in College Homes, and I grew up in Walter P. Tarleton
25 Homes, and which I do not down or, you know, feel bad

1 about where I grew up at. I do know that it's a problem
2 and that. But growing up in the project, I stayed out of
3 trouble, and it was easy to get in trouble. And
4 considering my age, I feel that, you know, I was able to
5 withstand the pressure and the stress of coming up in the
6 type of way that I came up. So, that is the way I feel.

7 MR. SAWYER: I didn't mean to indicate
8 that you should have been beaten even if you were
9 drinking.

10 MR. BISHOP: Well, I was saying that
11 is first thing that come up, what was I doing. I was not
12 arrested for anything. I was charged, okay? And this is
13 not totally -- it's public record, but it's not totally
14 public record. And that is my statement that I can give
15 right now.

16 CHAIRPERSON NEUMAN: Mr. Bishop, have
17 you filed a complaint with the University?

18 MR. BISHOP: Yes, I have.

19 CHAIRPERSON NEUMAN: Any other
20 questions?

21 MR. BLUMSTEIN: Mr. Bishop, your
22 pictures are very graphic and very upsetting. Is the
23 reason that you are not going into a little bit more
24 detail because you think because there is some form of
25 formal proceeding that is pending? Is that why you don't

1 want to tell more of the details? This is a forum at
2 which you can tell your story. We have no power to do
3 anything, but I think that some more of an explanation
4 might very well be helpful to shed light at what happened
5 to you in this setting.

6 MR. BISHOP: What I'm telling you is
7 that I was not charged or given -- you know, told that --
8 what I was being arrested for. I was arrested. I was
9 charged. What I'm saying is I was beaten while in
10 handcuffs, you know, and the charges that they got put on
11 me, as far as resisting and fleeing, what was I resisting
12 and fleeing from? You know, why was I arrested?

13 I'm saying I was beaten while I was in
14 handcuffs, okay? And the injuries that I do have came
15 from them beating me. And, you know, I did not get this
16 injury from just falling to the ground. I did not get
17 this injury from, you know, being -- you know -- and let
18 me make one point; that I feel like that, you know, this
19 has got a lot to do with racial tensions and stuff, that
20 when they said that I begged them to take me to jail, you
21 know, when I got out in the car that I begged them.
22 That's the first thing I did was begged them, please take
23 me to jail. Okay. You know, I mean, to make -- I mean,
24 to be treated like, you know, you're not a human like,
25 you know, I don't -- I mean, I just really feel upset. I

1 mean, to go in detail, I'd probably bring out some anger
2 in me that, you know, I think it's best for me not to go
3 into detail, okay?

4 And I just want to say that I feel
5 like that in what happened to Rodney King, I'm not Rodney
6 King, but, you know, I can feel how he must have felt,
7 okay, and -- but I don't know even if -- I mean, I might
8 feel worse than Rodney King, you know. I mean I was not
9 driving a car, I was not doing anything, you know, and I
10 mean, what can you really say in this situation except I
11 feel like I have been raped, you know. I feel like that
12 -- I mean it happened to me but I feel -- I feel like,
13 you know, you know, something really, really, really --
14 you know, what can I really do? I mean, this only could
15 have happened for two reasons; either they felt they had
16 power, or they felt that they just hated my color or who
17 I -- you know, you know, they did not know me. You know.
18 They did not know me. So why was this done to me? You
19 know, they did not know me. So, it had to be for two
20 reasons. They feel that they, you know, had the power to
21 do it or they didn't like my skin color. They don't know
22 who I am.

23 MR. KNIGHT: Mr. Bishop, what was the
24 race of the arresting officers?

25 MR. BISHOP: It was a white male --

1 white males.

2 CHAIRPERSON NEUMAN: How do the
3 officers claim that you sustained your injuries?

4 MR. BISHOP: By falling down.

5 MS. WURZBURG: Is this a U.T. problem
6 or a City of Knoxville problem or both, or do you have
7 any reason to believe that other black males have been
8 experiencing similar situations to your personal
9 knowledge?

10 MR. BISHOP: I can't really speak for
11 -- speak for what might have happened to them, but I can
12 say I do know of incidents. And as far as U.T. Police, I
13 do know of and heard of incidents. I do feel the city
14 police officers, they are -- are -- are in somewhat --
15 this might occur, but it doesn't occur -- it might not
16 occur as quickly that it occurred with the U.T. Police
17 officers. I feel like that U.T. Police officers do not
18 feel that they have to since they are private through a
19 different -- I think they think they are held at a
20 different standard than the city police officers. They
21 like they got their own force, you know, like they got
22 their own gang and they can do it, you know. It's like
23 they separate theirselves from the City Police Department,
24 and because of that, I feel like that's why this was done
25 to me. I feel like if it had been as a city -- the City

1 Police Department had jurisdiction over the same thing, I
2 don't think if this would have happened or not, but I
3 don't think it would have happened in the way it did.

4 CHAIRPERSON NEUMAN: Mr. Bishop, to
5 your knowledge, are there black officers on the U.T.
6 Police force?

7 MR. BISHOP: I know of one.

8 CHAIRPERSON NEUMAN: How large is the
9 force, do you know?

10 MR. BISHOP: I don't think it's that
11 large, but I don't know how many officers they have. I
12 don't know.

13 MR. LITTLEJOHN: Fifth largest in the
14 state.

15 CHAIRPERSON NEUMAN: Thank you.

16 MR. KNIGHT: I think Mr. -- you had a
17 companion with you; the young lady?

18 MR. BISHOP: Yeah.

19 MR. KNIGHT: If she would like to a
20 make a brief statement. Have you finished, Mr. Bishop?

21 MR. BISHOP: Yeah, I'm finished.

22 MR. KNIGHT: Would you care to add
23 something to that? Oh, I'm sorry, I'm sorry. They still
24 had some questions for you, Mr. Bishop.

25 MR. BLUMSTEIN: Mr. Bishop, I

1 appreciate your not wanting to go into details. I won't
2 push you to go into more detail because of the pain, but
3 I want to clarify. You were a passenger in the car that
4 was stopped, is that correct?

5 MR. BISHOP: Yes, yes.

6 MR. BLUMSTEIN: And this was after the
7 U.T. football game?

8 MR. BISHOP: Yes, it was after the
9 U.T. football game, but we was not near the celebration.

10 MR. BLUMSTEIN: Were you at the
11 University of Tennessee? I'm trying to understand why
12 the U.T. Police felt they had authority to stop a car.
13 Were you on the campus?

14 MR. BISHOP: Well, like I said, I felt
15 like they felt like they had the power to do that. I
16 don't know. I'm not -- I can't, you know, say why they
17 did anything because I'm not them. I'm just saying what
18 happened to me.

19 MR. BLUMSTEIN: Fair enough. And
20 then, you were, then, arrested and they put cuffs on you
21 for some reason?

22 MR. BISHOP: I wasn't -- I wasn't -- I
23 was held for about fifteen minutes, you know, without
24 them telling me why. I kept asking them could I leave.
25 They would not let me leave. They couldn't give me a

1 reason. They told me they couldn't let me leave in the
2 condition I was in. They never stated what condition I
3 was in. I don't know if they was talking about the
4 condition of my skin, the condition of how I looked, the
5 condition of whether I was drinking. They didn't tell me
6 that. I'm saying, are you telling me that -- I mean, I'm
7 being asked were we at the game. This just all come up.
8 Was we at Tennessee, was we at the game.

9 MS. WURZBURG; Are you a student?

10 MR. BISHOP: No, I'm not.

11 Are blacks able to drive down Cumberland? That is a
12 question. You know, that's not a comment. I mean, I'm
13 asking you -- I'm asking a question; are blacks able to
14 go down Cumberland? Or does it make -- I mean, are
15 blacks able to drive down Cumberland?

16 So, what I'm saying is the question of
17 was I at the game or was I at Tennessee, or was I at the
18 celebration? Or am I allowed to go down Cumberland, I
19 mean. So, I'm not here to say where could I go or where
20 could I be, or ask why could I be there, you know. I'm
21 telling you what happened to me, you know, and there was
22 no reason for that to happen. If someone can find a
23 reason, tell me, you know. But there was no reason. I
24 mean, I'm not a criminal, you know. I don't -- I mean, I
25 wouldn't know how a criminal would act. I don't even

1 know how to act in this situation. You know, I don't
2 know how it feels to be accused of doing something 'cause
3 this is the first time, you know.

4 MR. BLUMFIELD: I just have one final
5 question. That is, what was the -- were these fists that
6 were used? Were they billy clubs? What was actually
7 used to --

8 MR. BISHOP: He used his hand to force
9 my head -- throw my head into the vehicle, into the
10 ground. I was kicked. I was kneed with the handcuffs
11 on. None of this occurred while my hands was free.

12 CHAIRPERSON NEUMAN: Okay. Thank you.

13 MR. TABOR: I have a question on my
14 mind.

15 CHAIRPERSON NEUMAN: I'm sorry.

16 MR. TABOR: What were the charges that
17 were placed against you?

18 MR. BISHOP: They charged me for
19 fleeing, they charged me with resisting arrest and
20 assault on a police officer. The reason I got the charge
21 from fleeing because they was hitting me. The resisting
22 arrest, I don't understand that. The assault charges, I
23 don't understand that with my hands handcuffed. I was
24 handcuffed so tightly that I cut off my -- I mean, I
25 could feel that I didn't have no circulation into my

1 arms. I mean, it was so tight on me that I was
2 screaming.

3 MR. TABOR: So, you were charged with
4 resisting official detention, and then resisting arrest,
5 and then assault?

6 Mr. Bishop: On a police officer, in
7 handcuffs.

8 MR. TABOR: Those were the three
9 charges?

10 MR. BISHOP: Yes, but I still -- I
11 don't know what I was arrested for.

12 MR. TABOR: I can understand your
13 point. I'm trying to go through the matter.

14 MR. BISHOP: I understand.

15 MR. TABOR: I'm trying to find out
16 what the primary charge might be that would lead to the
17 charges of official detention.

18 MR. BISHOP: Right.

19 MR. TABOR: In attempting to elude
20 official detention. Were you transported? Did they take
21 you to jail?

22 MR. BISHOP: Well, they took me to the
23 hospital where I went there and where I refused treatment
24 because it's the way that I was being treated. And I was
25 taken to U.T. Hospital with U.T. Police, and I didn't

1 know -- I mean, I was not -- I didn't trust no one.

2 MR. TABOR: The last thing that I --
3 last question I would like to ask you is what is the
4 status of your complaint that you filed with the
5 University of Tennessee?

6 MR. BISHOP: I have made my complaint
7 to them and whether -- how they would deal with it, I do
8 not know or what -- you know, what their procedures with
9 that --

10 MR. TABOR: How long ago was it that
11 you filed the complaint?

12 MR. BISHOP: I filed my complaint
13 yesterday. Let me state that I had a hard time getting
14 that complaint filed. I had to wait until they was
15 ready.

16 MR. TABOR: When did the incident
17 occur?

18 MR. BISHOP: It occurred Saturday, but
19 I'm saying I had to wait until they could take my
20 statement.

21 MR. TABOR: Okay.

22 CHAIRPERSON NEUMAN: Is that it,
23 Tommy?

24 MR. TABOR: Thank you, Madame
25 Chairman.

1 CHAIRPERSON NEUMAN: Thank you, Mr.
2 Bishop.

3 MR. KNIGHT: Did the young lady have a
4 brief statement to make?

5 MS. TRINA WYNN: Hello. My name is
6 Trina Wynn. I was falsely arrested for D.U.I. on
7 September the 29th, 1992, Saturday around twelve
8 midnight. The U.T. officers stopped me on Cumberland
9 Avenue. He came towards my car and asked me to get out,
10 and I got out of my car, and he just directly accused me
11 for driving under the influence. And I was forced to say
12 the alphabets. I had to count one through thirty
13 standing on one foot, one at a time. I had to walk a
14 straight line, counting one through nine twice, and also
15 I had to look at a pin. And after that, I felt that
16 everything was all right.

17 So, I started walking towards my
18 vehicle, and as I was walking away, he told me to turn
19 around. Then he started searching me, and he patted me
20 down with his hands. I felt violated because he was a
21 man and I was a woman. And then he handcuffed me. And I
22 asked him, "What is going on, Officer? I don't
23 understand. Why are you arresting me? I'm not drunk."
24 And he said that I was under arrest for D.U.I. And I
25 asked him was it okay if I go take an alcohol test 'cause

1 I don't why he just going to accuse me of something I
2 haven't done, and he don't have any proof. And I asked
3 if he could search my car and search me and asked him is
4 it possible if I could take a test. And he said I could
5 take a breath test. So, I thought everything was cool.

6 And then as he was standing there, he
7 patted me down and he tried to handcuff me, and I was
8 like, well, Officer, I thought you said I could take a
9 breath test. And he said, "Well, you'll get to take one
10 as we go there. You're under arrest". And he started
11 walking me towards the car and pushed me in the car. And
12 then after that, he went over towards my car and started
13 searching it. And I don't understand why he arrested me
14 because I don't drink or drive. I don't drink, period.
15 I haven't drunk in a long time. I just don't understand
16 why this happened to me. I still don't understand to
17 this day what's going. And I thank you all for letting
18 me be able to come up here and say this.

19 MS. WURZBURG: Are you a student at
20 U.T.?

21 MS. WYNN: No.

22 MR. BLUMSTEIN: Were you transported
23 to the police station?

24 MS. WYNN: Yes, Knox County Police
25 Department.

1 MR. BLUMSTEIN: In the cuffs?

2 MS. WYNN: In cuffs.

3 MR. BLUMFIELD: Did you see the
4 episode that Mr. Bishop was describing?

5 MS. WYNN: Yes, I couldn't hear
6 everything that was going on, but I heard him talking to
7 them a little bit when he was raising his voice a little
8 bit asking what's going on, 'cause the officers were
9 questioning him. I guess they assumed that he was
10 drinking, under the influence -- drinking or drunk under
11 the influence because he was in the car with me. But I
12 was not drunk. And they started questioning him to see
13 what was going on.

14 MR. BLUMSTEIN: So, there was some
15 police officers hassling you or giving you these tests,
16 or what have you, at the same time that the other police
17 officers were engaging in the conduct that he was
18 describing? Were these both going on at the same time?

19 MS. WYNN: Yes, it was happening the
20 same night, same time. Right after they put me in the
21 police car, they went over towards his side on the
22 passenger side, and they started asking him questions,
23 and accusing him of something he wasn't doing either.

24 CHAIRPERSON NEUMAN: But you're saying
25 it was the Knox County Police Department?

1 MS. WYNN: It was the U.T. policemen,
2 but they took me to the Knox County Police Department.

3 CHAIRPERSON NEUMAN: I see. Tommy,
4 any questions?

5 MR. TABOR: I have a couple of
6 questions. Were you and Mr. Bishop the only two persons
7 in the car?

8 MS. WYNN: Yes, yes, we were the only
9 two in the car. We coming back from Taco bell. I was
10 heading on my way home. And as I was riding, I saw a
11 police officer behind me and, you know, I pulled over,
12 and then that's when this whole incident started.

13 MR. TABOR: Were you on U.T. property?

14 MS. WYNN: No, I was on Cumberland.

15 MR. TABOR: Okay. You mentioned that
16 you requested a breathalyzer test. Were you ever --

17 MS. WYNN: Well, I didn't know what
18 kind of test to tell you, really, 'cause I've never been
19 drunk or arrested for anything. He told me that I could
20 take a breathalyzer test, and I did question him and ask
21 him why because he really just accused me and arrested me
22 and saying that I'm drunk for no reason. I just didn't
23 know it was going on. I was just so nervous, and I was
24 like, Officer, I don't understand. I said, "I'll take
25 whatever you want me to take. You can even check my car

1 if you want to because I don't have no evidence that I'm
2 drunk."

3 MR. TABOR: Were you actually, in
4 fact, given, at a later time, the probable cause --

5 MS. WYNN: No, he said that I resist
6 -- I refused to take an alcohol test, a breath test.
7 When I went to the police station, he led me on to
8 thinking that I was going to get to take a breath test
9 while he arrested me. And when I got there, they said
10 that I -- that he said that I refused to take the test.

11 MR. TABOR: Okay. Did you also file a
12 formal complaint with the U.T.

13 MS. WYNN: File a formal complaint?

14 MR. TABOR: Have you filed a complaint
15 with University of Tennessee in terms of the way you were
16 treated by the officers?

17 MS. WYNN: Yes.

18 MR. TABOR: So, there's a complaint on
19 file?

20 MS. WYNN: Yes.

21 MR. TABOR: Thank you.

22 MS. WURZBURG: Have you or Mr. Bishop,
23 or the two of you together, secured legal counsel for a
24 civil suit of anything kind?

25 MS. WYNN: Have we what?

1 MS. WURZBURG: Have you or Mr. Bishop
2 secured counsel for redress to the court system for what
3 happened to you?

4 MS. WYNN: Yes.

5 CHAIRPERSON NEUMAN: Dale, do you have
6 anything?

7 MR. SAWYER: What happened to your
8 automobile? Did I understand that was --

9 MS. WYNN: Yes, they towed my car and
10 they held on to my driver's license also.

11 MR. SAWYER: What happened to your
12 car? I understand that there was a lot of damage inside.

13 MS. WYNN: No, there was no damages
14 inside. They just searched it. I guess they assumed
15 that I was a drug dealer or something. I'm not saying
16 that that's what it is, but that's the impression I get,
17 'cause when I got my car back, everything was thrown
18 everywhere in my car, and my vents was out. I guess they
19 assumed that I was a drug dealer because of my hairstyle
20 or something. I don't know.

21 MR. SAWYER: I think it's a very
22 pretty hairstyle.

23 MR. BLUMSTEIN: Ms. Wynn, I have just
24 a other question of you. Can you describe for me, since
25 you were the driver of the car so, presumably, when these

1 officers came, they approached you as the driver of the
2 vehicle?

3 MS. WYNN: Uh-huh.

4 MR. BLUMSTEIN: Can you describe their
5 demeanor or the way they approached you? Were they
6 courteous, were they mean, were they vicious, were they
7 racist?

8 MS. WYNN: Well, he had a sneaky
9 peculiar look, okay? He was calm about everything. He
10 just was kind of sneaky peculiar -- what's the word --
11 sneaky -- he seemed like he was prejudice to me, but I
12 don't know. That's what it seemed to me. I'm not saying
13 that he was but --

14 MR. BLUMSTEIN: What did he say to you
15 when he first came up?

16 MS. WYNN: Nothing. He just asked me
17 to get out of my vehicle. I didn't know what he was
18 pulling me over for. I just know I saw a police officer
19 behind me, and as I was getting out. I was like, why is
20 he pulling me -- you know, why does he want me to get
21 out? For reckless driving? For speeding? I know I
22 wasn't speeding, but he asked me to get out and he wanted
23 to check me for driving under the influence, just right
24 then and there.

25 MR. BLUMSTEIN: This was -- how many

1 officers were there?

2 MS. WYNN: It was just one officer.

3 MR. BLUMSTEIN: Oh, there was just
4 one?

5 MS. WYNN: It was just one, but when
6 he was -- I guess for some reason, some police officers
7 heard about it off the thing, I don't know. But some
8 other police officers came about five or seven, six
9 minutes -- five to ten minutes later, some other
10 policemen came and it was two officers -- it was two
11 officers when Bishop -- when they was messing with
12 Bishop, but it was just more -- excuse me. It was just
13 one officer when he was with me. Just one.

14 MR. BLUMSTEIN: But the one who
15 originally stopped you was the one that participated in
16 the conduct that was described by Mr. Bishop, is that
17 right?

18 MS. WYNN: Right, right.

19 CHAIRPERSON NEUMAN: Okay. Those are
20 the only questions. Thank you for being here today.

21 MS. WURZBURG: I would like Mr.
22 Littlejohn to come back to the mic.

23 CHAIRPERSON NEUMAN: Mr. Littlejohn,
24 if you would take the mic, please?

25 MR. LITTLEJOHN: Would I take the mic?

1 CHAIRPERSON NEUMAN: Please.

2 MR. LITTLEJOHN: You're trying to get
3 me in trouble. Yes.

4 MS. WURZBURG: I think a question was
5 asked. I heard from the audience, but not for the record
6 that we asked the question how large a force --

7 MR. LITTLEJOHN: The U.T. Police?
8 They are the fifth largest in the state is what they --
9 in the few years past, and I don't know if that has
10 changed. It's a large force.

11 MS. WURZBURG: And although Mr. Bishop
12 testified that he knew of one black officer out of the
13 group, do you have numbers?

14 MR. LITTLEJOHN: He's the only one
15 that I'm aware of at the time. The chief may know. I
16 don't know the actual number of police officers because
17 I'm not involved with that directly, but I know that the
18 one has been there a long time and he is --

19 MS. WURZBURG: And you are the
20 Minority Student Affairs --

21 MR. LITTLEJOHN: No, no, that is Mr.
22 Baxter. These are two friends of mine that I think are
23 good citizens. That's the reason I'm involved.

24 MS. WURSBURG: Oh, I see. Are you
25 connected with U.T. at all?

1 MR. LITTLEJOHN: Yes, I am connected
2 with U.T.

3 MR. TABOR: What's your position at
4 U.T.?

5 MR. LITTLEJOHN: Personnel, working in
6 the Personnel Department.

7 MS. WURZBURG: Do you, by any --
8 because of the Personnel Department, do you know what
9 training the U.T. Police --

10 MR. LITTLEJOHN: They are trained as
11 police officers in Donelson, Tennessee; I think that's
12 where it is, and they have to go through the same
13 training as any other police officer, and additional
14 training in emergency medical care.

15 MS. WURSBURG: If you don't mind --

16 MR. LITTLEJOHN: I don't know this
17 particular officer. He may have been on the force before
18 this was required. I don't know the details.

19 MS. WURZBURG: Do you mind remaining
20 here? After we talk with Mr. Baxter, we may have some
21 other questions for a minute. Do you have the time to
22 stay with us?

23 MR. LITTLEJOHN: Actually, I have a
24 handicapped child I have to pick up before 2:30. That's
25 the only problem. I can come back.

1 MR. WURZBURG: You are late then.

2 MR. LITTLEJOHN: Yes.

3 MS. WURZBURG: Okay. Thank you.

4 MR. LITTLEJOHN: Thank you.

5 CHAIRPERSON NEUMAN: Is Mr. Baxter in
6 the room? Mr. Baxter, can we hear from you next?

7 (A.D. Baxter, Coordinator, Minority
8 Student Affairs, University of Tennessee.)

9 MR. BAXTER: Good afternoon. My name
10 is A.D. Baxter, and I serve in two capacities at the
11 University. The primary one is Coordinator of Student
12 Affairs, and the other capacity is in Career Services at
13 the University of Tennessee.

14 Did you have any additional questions
15 before --

16 CHAIRPERSON NEUMAN: No. You may go
17 ahead, first, with whatever you want to tell us.

18 MR. BAXTER: I want to thank Mr.
19 Knight for the opportunity to come before you and
20 articulate just some issues and concerns. I'm not here
21 to represent the University. I'm here, basically, as a
22 concerned citizen.

23 I'm just going to give you some
24 observations I've had since I've been here in Knoxville
25 since 1983.

1 First concern, I guess, primarily
2 because I now have a daughter, is the K-through-12
3 education. And there appears to be -- let me go with
4 curriculum. I think with the curriculum, the students
5 are not exposed -- when I say students, all students.
6 Students not being exposed to a positive role or positive
7 image of African Americans, women, Hispanics and Native
8 Americans. If you were to take a look at the curriculum,
9 they are virtually absent or obsolete on the point with
10 the exception of traditions. You will have the Booker
11 T., you will have Dr. Martin Luther King, you will have
12 the Black History Month for a couple of days, but there
13 is nothing on an ongoing basis to give our children, I
14 think, the exposure to some healthy images. So, that is
15 one concern I definitely wanted to articulate.

16 The other is, I guess, a recent event,
17 but it's been taken for quite a period of time, but it's
18 finally come to a head; and that is the whole question in
19 terms of desegregation here in Knoxville. It seems like
20 we haven't learned from history. You would think that at
21 some point we would be able to bring our students
22 together and to give them a curriculum which I think is
23 of qualify for everyone as opposed to almost two separate
24 and unequal systems.

25 Primarily, the black community, there

1 recently was an newspaper article, and we saw where the
2 software, where the books are not up-to-date. They are
3 not current. Yet and still, when we look towards Knox
4 County of which has a considerable amount of money and
5 influence, there seems to me that is where the
6 concentration is as it relates to the school system here.
7 That certainly is an overwhelming concern in our
8 community, in fact, of the fact that our schools are
9 closing here in our community. And I think that really
10 is an integral fabric of any community for it to continue
11 and to progress and thrive. And yet and still, that is
12 not occurring in West Knox County. So, I mean, the
13 question obviously is why.

14 So, I just want to leave you with
15 that.

16 The other question is our law
17 enforcement. In looking at the law enforcement since I
18 have been here, we did have some African Americans in top
19 positions, but as they retired, we have not seen any to
20 replace them or even to expand on that. I guess you get
21 accustomed to having -- replacing one with another. I
22 think what is more important is that we have some
23 expansion in terms of some African Americans and women
24 in top administrative positions. I think that sends a
25 powerful message that there's a genuine concern.

1 The last issue I would like to leave
2 you with is just how the Knoxville Community tends to
3 overlook our own African American community. We have a
4 number of events here; the Tennessee Fair, we have the
5 Arts Council, and they do a very good job of bringing
6 major events here to the community, but those events
7 don't tend to reflect, I think, our African American
8 community. Very rarely do we see a play, and it's very
9 rarely do we have a ballet company that comes here so our
10 students can get that exposure. Not only African
11 American students, but our white students here in
12 Knoxville could get that exposure, and it's just not
13 occurring. The question is why.

14 So, I would just like to leave you
15 with that. If you have any question, feel free to ask me
16 at this point.

17 MS. WURZBURG: Thank you for being
18 here today. And I'm glad you here because I'm the member
19 of this Committee who requested that this meeting be
20 taken out of Chattanooga and brought to Knoxville. The
21 reason that I requested it is because of the recent
22 reports, as confirmed as much as last week, of racial
23 tensions on the University of Tennessee campus.

24 I have to admit to you that my
25 immediate reason for wanting this meeting moved and the

1 U.T. racial tensions addressed was not black folk being
2 the victims of the prejudice, the discrimination and the
3 outright acts of overt prejudice including up to
4 violence.

5 I'm Jewish and a member of a minority
6 group. And as many minority groups, it's not unlike
7 others in other places that when something happens in the
8 eastern end of the State, it doesn't take a day for it to
9 get to the western end of The state. And I am from
10 Memphis. And it really wasn't a matter of a day or so
11 when all of us, who either had U.T. students or friends
12 of students -- my child was a second generation U.T.
13 graduate -- that we were immediately concerned about what
14 was happening at U.T.

15 Mainly, there were some anti-Semitic
16 incidents that occurred, meaning anti-Jewish in this
17 instance, that occurred. One was a very vulgar, obscene
18 gesture performed at a young woman at a football game
19 who, I think, had some symbol of Christianity around her
20 neck, but had a date with a young man with a yomica,
21 skull cap, that many Jews prefer to wear under the
22 mandate to cover your head before God. And they were
23 outdoors at a football game and was the object of
24 harassment in this obscene gesture for her having a date
25 with a Jew. That was about the same week that an article

1 appeared in the U.T. newspaper that circulated our Jewish
2 Community, from one end of the state to the other; not in
3 an attempt to censure free press, of course, but trying
4 to understand the dynamics of what has happened to our
5 cultures, that there was such a misunderstanding between
6 peoples who traditionally have needed one another in our
7 universal fight against injustice; not only in this
8 country, but elsewhere.

9 I think you're answering some of the
10 questions by your presentation. There is no cultural
11 exposure between groups going on, whatsoever, evidently.

12 MR. BAXTER: Exactly.

13 MS. WURZBURG: If blacks are excluded
14 from any cultural enrichment for the community at large,
15 if there's no healthy exposure for black and minority
16 kids to heros, and so forth, then maybe we are doing it
17 badly, too, as a Jewish Community, in that, we are not
18 presenting our culture in a positive way so that our
19 black students and friends and workers and co-citizens --
20 evidently, we are not doing anything to help educate each
21 other about who we are and how we feel and what hurts us.
22 Because, Lord knows, all of us have hurt buttons. And if
23 we are minorities, those buttons are even more sensitive,
24 and we know when they are pushed.

25 I have got to tell you, Professor

1 Blumstein has brought with him a copy of the article -- I
2 didn't bring mine -- that I would like inserted into the
3 record of this as an example of absolute religious
4 hatred. I guess this is beyond the scope of this
5 committee to try and discuss what's the origin of this
6 hatred, but it just seems to me that we fought world wars
7 over this kind of hatred. We have fought civil wars over
8 this kind of hatred, and when is it going to stop, and
9 what are we going to do about it. And my plea to you at
10 the University of Tennessee -- you are the premiere
11 public higher education school in this State, and if you
12 are not doing anything about it, what's being done at
13 Middle Tennessee State, and what's being done at Memphis
14 State? In other words, you are supposed to be setting
15 the example of what to be doing right.

16 MR. BAXTER: I agree.

17 MS. WURZBURG: Since you are with
18 Minority Student Affairs, can you help me with this?

19 MR. BAXTER: It's a good question that
20 you have raised. I think there are -- let me just say I
21 think there are committee persons on the campus to try
22 and eradicate some of the stereotypes and misconceptions
23 among students. But I think -- let me just digress for
24 just a moment.

25 You have got to understand the context

1 of the population, the profile. Most of our students
2 come within a two-hundred-mile radius, and I would dare
3 say that the exposure they get would not be equivalent to
4 what you get in Atlanta or some of your major urban
5 areas. So, those same attitudes are brought to the
6 University. Now, obviously our mission is to do research
7 and teach. I guess somewhere within the scheme of things
8 that hasn't been a real important priority in terms of
9 people understanding people outside of teaching a
10 particular class, or what have you.

11 There's no requirement for people to
12 go in and get sensitivity training, for example, and, you
13 know, that's not only just for U.T., but just for any
14 major employment institution, I think, here in Knoxville.
15 So, there is no sensitivity. I'm not saying a one-day,
16 make you feel good. I'm talking about ongoing.

17 I think there are some progressive
18 efforts being conducted at this point. There's a Phipsey
19 Grant right now. We have some new people in place who
20 are looking at this. But again, that takes time, and
21 what happens in the meantime? And I understand what
22 you're saying. The problem certainly is being
23 exacerbated.

24 I think what has happened is that we
25 have been dulled. As long as there is no major incident,

1 the perception is everything is okay. And it's not until
2 something occurs, and then you react. But I think there
3 are some proactive measures being put in place. Again,
4 that's going to take time.

5 In reference to their article, again,
6 that was a particular student who had read some material,
7 and again, that goes back to just a lack of
8 communication. We did have a program after that which we
9 addressed it. We had myself and some others on the panel
10 to talk about those types of articles, and where do you
11 draw the line on this delicate issue in terms of free
12 expression. We had a very good dialogue, but, again,
13 that was one program, and that was in the spring.

14 Okay. Now, we are back into fall. We
15 have a new crop of students. The question comes will we
16 have another one, another program, and I don't know it
17 should be the responsibility strictly of Minority Student
18 Affairs. I think that is a systematic responsibility for
19 that. I hope I have addressed your concerns and
20 questions.

21 MR. BLUMSTEIN: Mr. Baxter?

22 MS. WURZBURG: I'm hearing you say,
23 and that has been the problem with a lot of us who have
24 been involved in, not only the civil rights, but the
25 human relations business, but it really is not on

1 anybody's high priority list until there's an incident.

2 MR. BAXTER: Correct.

3 MS. WURZBURG: But -- and I'm sure it
4 was a good and lively discussion about when do you step
5 the line from free expression --

6 MR. BAXTER: Yes, it was, and it was
7 one of the few times we had faculty, staff and students.
8 You know, there's really no genuine dialogues after
9 class. You may have some professors that will talk about
10 issues like that, but for the most part, that is not
11 something that goes on constantly on campus.

12 MS. WURZBURG: Well, I notice that we
13 have a person here who'll speak with us, Ms. Greene, from
14 the NAACP. I serve on an interesting committee called
15 the Kevey Caplen Institute for Black and Jewish
16 Relations. It's a joint instrumentality between the
17 NAACP and the Reformed Jewish Movement, and there is help
18 out there. There is programs out there already
19 developed. Nobody has to reinvent the wheel, but we are
20 terribly, terribly concerned about the estrangement
21 between these two very traditional allies in the fight
22 and struggle for civil rights. Some Jewish concerns are
23 that Affirmative Action feels like quotas and we
24 distinguish the two. On the other side, what is
25 anti-Semitic diatribes, such as what was in this article,

1 I mean, just canards like Jews control the world monetary
2 -- I mean, we are going to put this in the record, and I
3 hope you'll read some of it, Professor. I mean just
4 stuff that is so old and thoughtly duressed.

5 What do you feel is the black/Jewish
6 relationship on the U.T. campus now as a result of that
7 article?

8 MR. BAXTER: I think what usually
9 happens when you have something dramatic is that -- is
10 that there are some individuals that do unify, that do
11 dialogue after that. As a matter of fact, I've met with
12 a Dr. Kovac, myself and a few others. So, we have been
13 talking. But, again, that's not -- we are not talking
14 about a large base. We're talking about hitting a few
15 people, and it's influenced a few people to start
16 dialogue, start talking, start researching and
17 articulating those views. I think that what has happened
18 is that, as you have mentioned, you have a program.
19 Those programs are, unfortunately, not being marketed.
20 People are not informed of them. So, until that
21 information is disseminated to the appropriate people,
22 again, we know -- you know it's there. I know now that
23 it's there. But for most of us, we think it is
24 non-existent. So, people are reinventing the wheel. So,
25 lack of communication definitely is the key there.

1 I would certainly like to hear more
2 from you. I have only got a limited time, like Denny did
3 and a few others. I would like to get your card and to
4 speak with you further.

5 MS. WURZBURG: Professor, I will let
6 you address this.

7 MR. BLUMSTEIN: Mr. Baxter, just to
8 follow up, the article that Ms. Wurzburg is referring to
9 is an article from the Daily Beacon from Monday, February
10 3rd, 1992, I believe.

11 MR. BAXTER: Correct.

12 MR. BLUMSTEIN: The title of this was
13 "Zionism creates hatred with falseness." The author is
14 identified as Taurus, T-A-U-R-U-S, Bailey, B-A-I-L-E-Y.
15 And there was some discussion whether Taurus Bailey is a
16 male or a female.

17 MR. BAXTER: It's a male.

18 MR. BLUMSTEIN: And it's said, is a
19 freshman in political science, and is a first-year
20 student at University of Tennessee. I understand the
21 delicacy of the first amendment issue. I have been as
22 fierce a defender of the first amendment as anyone. So,
23 I certainly think that I would like to associate with the
24 comments that Ms. Wurzburg was suggesting, that official
25 suppression of view is not something I endorse or even

1 encourage.

2 On the other hand, the antidote to
3 offensive speech, and that is to say, condemnation of
4 views, that anathema, and that are outside the main
5 stream of our political system. And so the question that
6 I really want to pose is what did your office, your
7 colleagues, what did other officials at the University of
8 Tennessee do to express their condemnation, and I do want
9 to put this into the record -- a copy of this article
10 into the record. What did they do to express their
11 condemnation of both this individual -- and I think that
12 it is appropriate when an individual takes a stance of
13 this type, that the individual be condemned and the
14 views, therein, be condemned. What steps were taken by
15 officials at the University to disassociate and
16 affirmatively to condemn the stance that was taken?

17 MR. BAXTER; Certainly. What happened
18 was a number of faculty and, as a matter of fact, the
19 former Chancellor wrote an article to the Beacon as a
20 result of that. But let me go back to an earlier
21 occasion.

22 There was an occasion on campus which
23 I think we also talked about in that dialogue, was that,
24 again, until something occurs which is detrimental to
25 your particular community, we react as communities and

1 not as a holistic base. There was a previous incident on
2 campus where a student by the name of Leslie Williams --
3 unfortunately she has passed -- was involved in a very
4 tragic car accident and a very lewd, a very unacceptable,
5 inappropriate picture was placed in the paper. Well, the
6 African American students certainly were quite enraged.
7 The Knoxville community was quite enraged, but we didn't
8 see the Jewish community. So, you know, again, that
9 points, I guess, to my original contention is that we
10 tend to react as communities and not as a holistic base
11 until something like this occurs. And I think,
12 hopefully, incidents like this won't occur again, that we
13 will learn from history, and be able to work together on
14 a larger scale. But you have got to start somewhere.
15 And I think that start is being made.

16 MR. BLUMSTEIN: Let me ask the
17 question again.

18 MR. BAXTER: Certainly.

19 MR. BLUMSTEIN: What steps were taken
20 by officials at the U.T. campus in Knoxville, whether
21 through your office or through other offices?

22 MR. BAXTER: Correct. It was
23 primarily handled through the Chancellor. Again, he took
24 a very personal, as well as, I believe a campus -- I
25 think he represented the campus as well as himself,

1 personally, very well in terms of his article. So, there
2 was some rebuttal articles. They may not be in because
3 I'm looking at what you're turning to right now, and I
4 don't notice any of those articles that were in the paper
5 shortly thereafter. But there were some articles being
6 done, and he was one of the persons, in addition to the
7 College of Communications, that did coordinate a
8 dialogue.

9 MR. BLUMSTEIN: This is Dr. Quinn?

10 MR. BAXTER: Correct. He is the
11 former Chancellor.

12 MR. BLUMSTEIN: Let me just continue
13 on with the point here.

14 MR. BAXTER: Uh-huh.

15 MR. BLUMSTEIN: I think it is
16 important to note that all minority communities feel that
17 it is important that non-members of the community assert
18 their indignation when things happen that are hurtful to
19 the members of that particular community. I certainly
20 understand the thrust of your comment that the Jewish
21 community of Knoxville was not hurt, from your
22 perspective, if that is, in fact, true, on a matter that
23 was hurtful to the black community. I think that is a
24 fair perception. I don't think it has anything to do
25 with the issue right here, actually and truthfully. I

1 think it's a fair comment, and I think it's one that
2 needs to be brought to the attention of members of other
3 communities.

4 I will tell you as a former chair of
5 the Community Relations Committee of the Jewish
6 Federation of Nashville that when we saw the
7 anti-Catholic hate literature that Toma Lama
8 (phonetically) was spewing in Nashville, the first thing
9 we did was to meet with the Catholic Archdiocese exactly
10 on the theory that you're describing, to express our
11 concern, offer our good offices, develop some strategies
12 since we have been through this before, and it was very
13 much welcomed by the Catholic Archdiocese in Nashville.

14 So, I completely agree with that. I
15 think that that has also happened in Nashville when the
16 Ku Klux Klan invaded the Temple and was threatening to
17 bomb the Temple. There was a community outcry, not
18 organized or orchestrated by the Jewish Community, I must
19 tell you, which made it much more meaningful, condemning
20 with full page ads in the newspaper, condemning the Klan
21 and so forth. So, I completely concur with that.

22 There has to be a mutual sensitivity
23 on these issues, preferably initiated by non-members of
24 the group, itself, and I completely concur with that, and
25 I think that your point is well taken. I hope you don't

1 think, however, that a failure to be sympathetic in one
2 particular episode is a justification for non-response to
3 a hateful editorial or ambit, whatever, of the type -- of
4 the vicious type that we are describing in the Daily
5 Beacon, because it surely is not.

6 So, I think that the thrust of your
7 comment is one that we all should take to heart about how
8 to act together to condemn bigotry, hatefulness, and do
9 it on our own. I think that that is a question of
10 sensitivity, education, communication, developing
11 networks. It is a shared responsibility.

12 MR. BAXTER: Absolutely. I think it's
13 individual and collective, I agree. But, again, that's
14 going to take time.

15 MS. WURZBURG: If I could follow up
16 with just what the Professor is saying; in the old days
17 we all were involved in dialogue, one-on-one discussion
18 groups and so forth, and I guess because we are here
19 having 1992 hearings, again, on racial tension that we
20 didn't solve the problem. And I have concluded that
21 generations aren't every twenty years, they're probably
22 every third-year graduating class from a high school.
23 And if it means that we are going to have to go back to
24 the old attitudinal attack on attitudinal racism all over
25 again -- I mean, we left it. We attack institutions

1 which was the right thing to do, but it appears that we
2 are going to have to do it with ongoing dialogue and
3 discussion groups, for example, with the Jewish Student
4 Union, with the Black Student Union.

5 If some of the key players are at
6 least getting together once or twice a month to sit down
7 and talk and find out what hurts each other, then when
8 there is something like this, yes, self-generated feels
9 better, but it would even be okay to pick up a phone and
10 say, hey, this is hurting us. This young woman's picture
11 in the paper sprawled out like that was a terrible thing.
12 Be aware that this is hurting our community. Then, if
13 nobody does anything, you've got a legitimate gripe.
14 Say, hey, man, where were you? But in the meantime, I
15 think these things need -- we are going to have to do --
16 we are going to have to raise consciousness all over
17 again. And I do want to see U.T. really take the lead
18 for the college system in Tennessee, and I'm hoping
19 perhaps we're going to take your comments to heart. We
20 are going to publish them and we're going to act on them.
21 And I hope you'll take ours, too, back to the University.

22 MR. BAXTER: Certainly.

23 MS. WURZBURG: Thank you again.

24 CHAIRPERSON NEUMAN: I'm going to ask
25 Bobby to follow up with you, if I may, Mr. Baxter, to get

1 a copy of the Chancellor's article so that when we put
2 this article into the record, we'll also have a copy of
3 the response that was delivered by the Chancellor.

4 MR. BAXTER: Certainly.

5 CHAIRPERSON NEUMAN: Tommy, did have
6 any questions?

7 MR. TABOR: No, Madame Chairman.

8 CHAIRPERSON NEUMAN: Thank you very
9 much. I'm going to go somewhat out of order with our
10 agenda and ask that Chief Keith speak to us at this point
11 in time. Welcome.

12 (Phil Keith, Chief of Police,
13 Knoxville Police Dept.)

14 CHIEF PHIL KEITH: Thank you.
15 Appreciate the invitation to be here with you today. I
16 guess to bring you up-to-date on what we are doing in
17 Knoxville, as to -- I heard some of the comments made
18 today -- so that you're aware of what we are trying to do
19 in our city.

20 First of all, we are not trying to
21 avoid the issue. We know that there are tensions in
22 every community, regardless of race or makeup. What we
23 are trying to do is become a policing organization that
24 involves our community. There is a lot of hardships
25 involved and there's a lot of bridging gaps, if you will,

1 that are going to be essential to do this. It's not a
2 short-term quick fix, something like my daughter would
3 see on T.V. and figures everything can be done and over
4 with in fifteen or twenty minutes. It's going to take a
5 long time. And I think our proactive approach to this
6 involves a couple of key things that I feel like that
7 need to be brought to your attention.

8 One of them is the leadership
9 development. Leadership development can't be done in in-
10 service training once a year for an hour; just like
11 ethics can't be taught in a one-hour specialized program
12 once a year. It has to be integrated in all our training
13 and all your policies throughout your organization. It
14 has to become an operating philosophy and concept rather
15 than a program.

16 And I feel that in our department we
17 are doing that. We are making a lot of strides. We're
18 stepping out among the law enforcement agencies in the
19 country. We haven't gotten, by any means, a solution to
20 all the problems. But I think we are making a
21 difference. And we may not -- we can see a light at the
22 end of the tunnel. We may not be sure if it's a real
23 light or if it's a locomotive coming at us. But we are
24 in a position that we are willing to accept that
25 challenge, and we're doing it through our hiring

1 practices, through our retraining practices, our
2 promoting policies, establishing a community-based
3 police. That's kind of a catch word today. There are
4 not very many people that know about it, not really
5 understanding what community policing is all about. We
6 think it's a policing program that's not going to work.
7 It's a community program that requires partnerships to be
8 created. And it's plural, it's not one. It involves
9 bridging an understanding, because there are a lot of
10 cultural problems. It's not just white and African
11 American cultural understandings, it's the other way. It
12 cuts across all corners, because what I see is in hiring
13 new officers is we have a new culture, if you will, of
14 -- may be a message from above, right?

15 CHAIRPERSON NEUMAN: I thought maybe
16 you had a radio on your belt.

17 CHIEF KEITH: We see a lot of young
18 people we are recruiting that come to us from a lot of
19 different communities, and because we get them now, our
20 new officers, often times, from communities outside our
21 immediate area, we are finding that they bring with them
22 a lot of cultural differences, misunderstandings and an
23 lack of understanding. Cultural awareness, I have heard
24 that mentioned here today, is something that we are
25 starting with our command staff is to try to bring our

1 command staff into the major flow, if you will, and our
2 leadership development of understanding cultural
3 awareness, and why it's necessary.

4 And something Mr. Baxter brought up I
5 think is real important. This is something that can't be
6 done an one-hour dosage. It's going to take many hours
7 of efforts. It has got to be, again, integrated
8 throughout everything we do, and that's one of the
9 focuses that I am trying to push as a Chief Executive
10 Officer.

11 In the area of use of force, there's
12 probably nothing more compelling than the use of force in
13 our country. Because in our business of law enforcement,
14 we have a vested responsibility, not only to defend the
15 constitution, but to enforce it for the freedoms of
16 others. And the use of force is a constantly changing
17 attitude. Some things are acceptable today that were not
18 acceptable ten years ago. We see frustrations in
19 communities; people tired of being victimized through
20 violent crime and the result of this drug epidemic we are
21 experiencing, and they are lashing out. And we see the
22 use of force in that area that is very startling.

23 Another area we feel like is of prime
24 concern is something you mentioned just in the last few
25 minutes; the biased crimes investigations. If we are not

1 proactive in that approach, we are not staying on the
2 cutting edge and affecting what we can do. It's been my
3 experience that many of the groups that are involved in
4 these biased crimes are probably at the pinnacle of
5 cowardism in our society. We take them on, as we have
6 the various groups; the NDF which was a very biased hate
7 group in our community; established its national
8 headquarters -- moved them from New York to Knoxville.
9 And after a year and a half of intensive efforts to send
10 a clear message to them, they decided that Knoxville was
11 not their home. And I think that's the kind of effort
12 that has to be made. It can't be done, again, with just
13 one statement. It's got to be something that is
14 cultivated over a long period of time.

15 Our intelligence officers have made
16 contacts within the Jewish community developing an
17 intelligence source so we can get information that they
18 have knowledge of to help us counteract this. So, there
19 is not a simple solution. But I think that some of the
20 basics that we are doing here in Knoxville are putting us
21 in the right direction. Again, I don't think we'll ever
22 be able to celebrate success until the community, and the
23 entire community, pulls together and recognizes this
24 problem.

25 In law enforcement, it's getting

1 tougher all the time. We are the only profession, by the
2 way, that actually arrests its peers. No other
3 profession does that. Lawyers get together and in the
4 back rooms of parties, they see cocaine used, and they
5 fully have the responsibility and the power to make a
6 citizen's arrest, and they don't. Doctors have the same
7 responsibilities as do all citizens, but they don't. So,
8 there are a lot of issues out here, and none of them are
9 simple. But I think that in law enforcement that the
10 community has got to mandate a level of the
11 professionalism, and that the law enforcement community
12 will respond accordingly. And if it's a low standard,
13 the the community gets what they demand. If it's a
14 higher standard of performance, then I think you'll see
15 most law enforcement agencies responsive. It's not a
16 simple task. It's something that every community has got
17 to address.

18 Our accreditation program is coming up
19 next week where we will become the largest -- hopefully,
20 become the largest law enforcement agency in Tennessee to
21 be accredited and join the other two hundred and
22 twenty-three in our country that have received that
23 recognition. So, I think there's a lot of parts and
24 pieces, and we have got to pull it all together to make a
25 whole out of it.

1 I will be glad to try to respond to
2 some of your questions if you might have some.

3 CHAIRPERSON NEUMAN: I have a couple
4 of questions for you. Can you tell us something about
5 the racial makeup of your police department?

6 CHIEF KEITH: Yes, ma'am, I can. The
7 total makeup is roughly about eleven percent minority.
8 In the sworn area, it's a little bit less than five
9 percent.

10 CHAIRPERSON NEUMAN: The sworn area.
11 I don't understand what that means.

12 CHIEF KEITH: Sworn members, the
13 officers, what we would break down as the sworn and
14 civilian staff. And when I say sworn, they are the
15 officers that are certified.

16 CHAIRPERSON NEUMAN: Mr. Baxter
17 expressed a concern a little bit earlier about the
18 leadership of the police department and how it may
19 inadequately reflect the black population of the
20 community. How would you address that concern?

21 CHIEF KEITH: Well, his statement as
22 to turnover is true. There has been a significant amount
23 of turnover in our organization. We have attempted to
24 flatten our organization to meet financial and
25 accountability requirements. When you look back at the

1 hiring gaps, from like 1980 through 1986, it made it very
2 difficult to replace anyone because there wasn't anybody
3 to replace anybody with. So, our current policy has been
4 for the last four years that we are hiring more and more
5 officers. We have embarked on what I would consider an
6 intensive recruiting program that just this most recent
7 class, that we are getting ready to employ them in
8 January, of the selection pool to go forward to final
9 stage, roughly forty-two percent are white males and
10 forty-two percent are African American males. If we are
11 successful, then -- but we won't know that for several
12 more months. Then we'll feel better about it. That
13 still doesn't put us where we need to be, but it puts us
14 a lot closer than we were this time last year.

15 CHAIRPERSON NEUMAN: I have one other
16 question, and that is, I believe you were here earlier
17 when we received a comment from these two youngsters
18 about U.T. Police stopping them for -- apparently, for
19 suspicion of D.U.I. and engaging in what they allege are
20 some pretty brutal tactics. Can you shed any light on
21 that incident for us? Do you know anything about it?

22 CHIEF KEITH: No, ma'am, not from just
23 the information. I wouldn't feel fair about commenting
24 on that. There can be pending litigation and charges.
25 And some of the procedural steps the young lady testified

1 to sounded appropriate in field sobriety tests, if you
2 understand how those are conducted. Other than that, I
3 couldn't respond to it.

4 CHAIRPERSON NEUMAN: I understand.
5 What is the relationship between the U.T. Police and the
6 City of Knoxville Police? Is there a relationship, or do
7 you train them or do you interact with them in any formal
8 way?

9 CHIEF KEITH: We have a contractual
10 arrangement where there are certain types of crimes, what
11 are called part one crimes, that are the more serious
12 crimes of murder, rape, robbery, grand theft auto,
13 larceny, burglary and felony arson. Drug usage is not a
14 part one. It's kind of a peculiarity of our criminal
15 tracking system, but we have joint efforts in a lot of
16 areas. But we don't train their officers. Our basic
17 training is twenty weeks long, and we have probably the
18 second-to-longest training period. Of law enforcement
19 agencies in Tennessee, we rank probably in the top ten in
20 length of training; not that length is a measure of
21 quality, but I could go through that and assure you that
22 there is quality in that.

23 CHAIRPERSON NEUMAN: Do you train the
24 U.T. officers was my question.

25 CHIEF KEITH: No. They go through a

1 training program that meets the State minimum standards
2 in Tennessee through the Training Academy in Donelson.
3 We run our own Training Academy here. It's, like I say,
4 twenty weeks long and it's followed up by sixteen
5 additional weeks of field training officer program.

6 MS. WURZBURG: What is minimum
7 training?

8 CHIEF KEITH: For our department?

9 MS. WURZBURG: No, for that Donelson
10 -- you said there is minimum training. What kind of
11 comparison to U.T. versus Knoxville training is what I
12 was curious about.

13 CHIEF KEITH: The minimum training I
14 think is ten weeks. That would equate to four hundred
15 hours.

16 MR. SAWYER: What jurisdiction does
17 the campus police have outside the campus? My
18 understanding is that they arrested these people off
19 campus.

20 CHIEF KEITH: They are like all
21 university police departments. They are officers of the
22 State. That is true in almost every state except for
23 about three.

24 MR. KNIGHT: Under the Federal Hate
25 Crimes Act, how do you handle that, and are you able to

1 meet those standards or requirements through your
2 ordinary staff? Do you have a separate set-up for that?

3 CHIEF KEITH: Well, we take hate
4 crimes, as I said, very seriously. We have had a couple
5 of incidents in the last couple of months that we have
6 been tracking very intensely. Most of our crime cases in
7 that area begin their initial development through our
8 intelligence unit. Our criminal intelligence unit is, I
9 think, very sophisticated in its efforts in collecting
10 intelligence within the community, particularly with
11 groups that we have an in-depth knowledge about, like the
12 National Democratic Front, some of the Ku Klux Klan, some
13 of the white supremacist groups. So, we initiate the
14 intelligence process there. When it develops beyond
15 that, we use a task force approach. We bring in
16 generally a Federal agency, if it involves the mail or
17 communications across state lines, and we bring in a
18 prosecutor, bring them up on the case, because these are
19 very difficult cases to prosecute in court. So, we go
20 the extra steps in order to make sure our prosecutions
21 are successful.

22 MR. BLUMSTEIN: Chief Keith, you said
23 you didn't avoid the issue of racial tensions in that you
24 were developing leadership, and that that was done
25 through hiring and retraining community-based police. It

1 was not a one-shot deal. Can you tell us a little bit
2 more about what the leadership development process
3 entails for officers on staff and how this is done? I
4 completely agree that it's an ongoing process, but I was
5 wondering if you could put a little flesh on that secant.

6 CHIEF KEITH: It's a real difficult
7 process. It's -- community policing is a concept that is
8 not new. It's been around for a long time; at least, in
9 pieces, if not total. What makes it tough is that you
10 have to cross so many community lines to talk about
11 what's required for a long-term commitment. And so many
12 communities are not willing to make that long-term
13 commitment. They want it done overnight. They want it
14 done in the next six months.

15 I heard a city manager make a comment
16 just last month that he would have community policing
17 established in his community in the next eight months,
18 and it's just not going to happen. There are a lot of
19 problems.

20 In a police community, for example, we
21 have got traditions and practices, legal requirements; a
22 lot of issues to overcome that are not that simple. More
23 and more accountability is being in the forefront, and
24 when you're required by the community to have such a high
25 level of -- not only commitment, but accountability, and

1 at the same time, you're limited in your recruiting
2 funds, you are limited in your training funds, it kind of
3 puts in a real hurdle for you to overcome. And I think
4 that in most communities they are wrestling with that
5 difficulty, understanding that it's going to cost more in
6 some ways.

7 Some of the basic platforms of
8 community policing involve delayed responses or more
9 appropriate responses to non-emergency calls. Well,
10 that's going to require the community to have an
11 understanding that there has to be a priority over
12 certain types of crimes, and certain types of incidents.
13 And for the most part, community members do understand
14 that. They know the difference between a bank robbery
15 and a barking dog. What they don't understand are the
16 more and the bigger groups of type of incidents of a
17 civil disturbance, that involves a man and a woman or
18 some other group, versus another type of incident, you
19 know, because it becomes very important to them to see a
20 police officer respond. They have been assured by the
21 T.V. every night and every day they watch it that
22 policemen are everywhere, and they can respond to
23 everything. So, as you see, more and more social
24 institutions close down, fewer mental health
25 institutions, fewer bed spaces. Then, the police are

1 called upon to do more and more, and it's sometimes very
2 difficult to keep pace with that.

3 Mental health is in crisis in our
4 state. Recidivous criminals are a crisis in our state.
5 Sixty-eight percent of the people we arrest for every
6 felony are recidivous, and there is a whole question of
7 rehabilitation. And so, those recidivous people are
8 coming back into the communities. And often they pick
9 communities that have some weakness in them, and they
10 attack and pray upon that weakness to get into drug
11 selling, to commit other types of crimes. So, community-
12 based policing requires a lot -- it's not a real
13 attractive issue in some police circles because it almost
14 means automatic turnover for most of us that call
15 ourselves professional chiefs. There is a light at the
16 end of the tunnel, like I said. I'm just not sure if
17 it's a locomotive or some success because of the time
18 commitment.

19 You've got -- it's going to take
20 anywhere from three to ten, maybe even twelve years, to
21 get community-based policing in place. That means you've
22 got to have leadership development, and at the same time,
23 you have to have some outcries in the community to limit
24 the length of police chiefs rather than assess the
25 quality. I've always said when you have to put a

1 limitation like that, it's just because you don't want to
2 manage. You don't want to make a tough decision. And
3 that's generally what it is. Community-base policing is
4 a really tough issue for communities to approach.

5 MR. BLUMSTEIN: Chief Keith, one other
6 question. In our forum in Nashville, I was struck by
7 some of the comments that we had that were fairly
8 traditional of the type we heard here about conflict. In
9 this case, it was not with the City of Knoxville, but the
10 University of Tennessee police and the black community.
11 And those are traditional problems, which doesn't make
12 them unimportant, but they are on-going problems and
13 they're historical.

14 I was struck in our Nashville forum by
15 a different type of concern emerging; that the black --
16 many of the black communities, especially in the poorer
17 neighborhoods and areas in public housing and so forth;
18 with many of the communities, many of the advocates for
19 those communities were telling us that their desire is to
20 have a close working relationship, and to see a
21 partnership with the police; to take back their
22 communities, in a sense; to use the police for advocates
23 for the neighbors and for the average citizen in the
24 community. And instead of having hostility and saying
25 stay out of the community, they were asking for more

1 aggressive policing to come into the community, and to
2 develop a partnership.

3 And their concerns were that the
4 police were not visible enough or that they should be
5 there as partners in helping the community and being
6 tough rather than worrying about confrontations. And the
7 attitude in some circumstances was, at least as I
8 understood, we recognized that sometimes when there is
9 aggressive policing, there will be the need to use force
10 in certain circumstances. And we don't want promiscuous
11 use of force, but we want appropriate use of force to
12 clean up our neighborhood and grab it back for us.

13 Are you experiencing any of that here
14 in Knoxville, any of those kinds of community pressures
15 that would be quite different from the pressures of the
16 past?

17 CHIEF KEITH: No, I think there is
18 absolutely community pressure. Victims in public housing
19 are no different than victims anywhere else. They are
20 victims. And they want relief from these predators that
21 move in public housing and take advantage of the people
22 that live there and are probably more victimized because
23 of the continued trauma that they have to live with. In
24 one public housing area, we have had drug dealers go in
25 and tell the tenants that they have to leave. They can

1 only come out at certain hours of the day and go about
2 their business. In that regard, if you have a working
3 program with our public housing -- it's called KCDC,
4 which is the Community Development Corporation. We have
5 a special efforts in those areas. I think of us in this
6 area that we are on the cutting edge, if we're not
7 actually setting a tempo, because there's certain things
8 that have to be put in place.

9 And I think retaking the streets, so
10 to speak, are important. There has to be a very careful
11 balance with that. Taking the streets back and gaining
12 control and support and some social order is acceptable.
13 When you see vigilante activity taking place, I'm not
14 real fond of that. So, it's very delicate. It's not
15 simple. There's no simple answer.

16 When I hear people tell me here's the
17 simple solution, then I can generally find fault with it
18 real quickly because there is so many different
19 perceptions in each of the communities. The public
20 housing area, when you look at the way it consumes our
21 resources; somewhere in the neighborhood, the last time I
22 looked at it, was thirty-five percent of the costs were
23 consumed in public housing. That gives you omni-presence
24 and visibility. It also brings with it the increased
25 frequency rates of presence versus visibility of other

1 offenses and violations. So, when you have the
2 visibility and presence of police, and then to our
3 violations, it's going to statistically inflate the
4 arrest rate. So, that's a problem in and of itself.

5 You tell -- you know, you want
6 community policing, you want visibility of police, but
7 what do you want when you say visibility? Do you want
8 total -- I mean, do you want zero tolerance of open
9 alcohol consumption? Do you want zero tolerance of open
10 drug usage? If you have a lot of police officers
11 present, then, naturally they are going to see more there
12 in that particular community than they would some other
13 community.

14 CHAIRPERSON NEUMAN: Tommy, did you
15 have anything?

16 MR. TABOR: Yes, Madame Chairman, a
17 couple of questions. What are the number of complaints,
18 I.A.D. complaints your department handles? And the
19 second part of that question would be a comparison of
20 your '91 figures and '92 figures in terms of up or down.

21 CHIEF KEITH: Well, your volume has
22 got to be up in most cities if your calls for service
23 have increased.

24 Let me back up and start you off. Our
25 calls for service that we respond to have increased

1 somewhere around 97 percent over the last four years.
2 That means the number of police responses have increased
3 almost a hundred percent. The number of citations issued
4 has increased in excess of fifty percent. Physical
5 custody arrests, somewhere in the neighborhood of forty
6 percent. And so, you have an increased volume of
7 exposure. You know, when you look at use of force
8 complaints, you will find that the majority of your use
9 of force complaints involve alcohol, drugs and violence
10 of some nature; family violence, assaults, alcohol and
11 public intoxication, alcohol involving D.U.I., and we
12 find clearly over a third of our -- a third of all of our
13 activities involve those kind of arrests, those kinds of
14 activities. So, what we find out is that when you look
15 at the calls for service -- and these are the tracking
16 contacts. These are not one-on-one contacts that the
17 officer may make and simply stop and advise citizens or
18 get waved down and told about a problem or a concern, and
19 the officers goes over and resolved that. Our estimate
20 is that there is clearly somewhere in the neighborhood of
21 two hundred thousand other incidents that we are involved
22 in in some way. When you look at the total that I have
23 just given you, it's less than one half of one percent of
24 that rate.

25

MR. TABOR: Of actual complaints?

1 CHIEF KEITH: Of all activities that
2 we receive a use of force complaint on. Now, we receive
3 complaints of other natures, like an officer didn't
4 complete the investigative report right, or there was a
5 concern about a traffic accident, or any number of other
6 types of complaints, particularly sensitive
7 investigations, involving robbery, rape, homicide; things
8 like that. You will get complaints from usually -- if
9 it's a homicide, from the victim's family. And other
10 cases that are very sensitive, we get complaints
11 periodically on those.

12 MR. TABOR: What percentage of those
13 are officer misconduct complaints that are found to be
14 founded?

15 CHIEF KEITH: What percentage of
16 misconduct -- I'm sorry.

17 MR. TABOR: Officer misconduct
18 complaints are complaints your department sustains as
19 being founded?

20 CHIEF KEITH: I don't know if I can
21 give you that number off the top of my head because when
22 you say misconduct, you're covering the gamete of our
23 Internal Affairs.

24 MR. TABOR: Well, that is my original
25 discussion is the complaints that are filed by citizens

1 with your department's Internal Affairs Department,
2 officer misconduct; and the second part of the question
3 was whether those complaints were wrote down over '91?

4 CHIEF KEITH: Well, the complaints
5 have to be up. It is statistically not possible for them
6 to go down.

7 MR. TABOR: And the third part of that
8 question or inquiry was what percent of the complaints
9 that founded, your department investigates and determines
10 to be sustainable?

11 CHIEF KEITH: I would imagine as far
12 as some disciplinary action, when we say sustained,
13 depends on the level of discipline that comes with that
14 sustaining of an incident. Let me give you a
15 hypothetical. We track individuals currently now, from
16 the day they get hired. If we see a pattern -- we do
17 psychologicals on our officers. If we see a pattern that
18 is inconsistent with their psychological profile, and we
19 go on and see a continued pattern of minor incidents; you
20 know, it may be verbal abuse, it may be something that is
21 less than excessive force; we will call those officers in
22 and we'll counsel them. And we will go through what we
23 call constructive separation. We talk to them about the
24 career they have chosen. We talk to them about the
25 alternatives that are out there for them as far as

1 employment, and what we see of their behavior at the
2 present time.

3 And we have -- what we have done
4 successfully in our department is we have constructively
5 separated a number of those individuals. So, that will
6 necessarily make that number not representative of what
7 actually happens because of the actual sustained cases.
8 You're probably talking less than ten percent where there
9 was some disciplinary action. Again, that disciplinary
10 action may be from one end of the continuum to the other.
11 So, unless you want me to try to be real specific on it,
12 it's kind of hard to so. We have separated a number of
13 people that have those tendencies. And it's not just in
14 use of force; any misconduct. If it's drug usage, if
15 it's, you know, abusive in any way, I mean, we have to
16 set that tempo at the top. You can't set it anywhere
17 else.

18 MR. TABOR: Does your department have
19 -- do you, as Chief, have a Citizens' Advisory Committee
20 appointed either by you or by the mayor; more than likely
21 by you, that gives them some direct access and
22 involvement and input in the direction that the
23 department is going?

24 CHIEF KEITH: No, sir. We just
25 recently went through that issue. In fact, our last City

1 Council meeting or Council Workshop, excuse me, and
2 during that workshop, that question was brought out; what
3 our current system involves. There are currently, at
4 least, nine options for citizens to go through if they
5 feel like the complaint is not satisfactorily concluded.
6 Our Internal Affairs Office, obviously, is one location,
7 and the Knox County Attorney General's office is another.
8 The Federal Bureau of Investigation, United States
9 Department of Justice, Tennessee Commission on Human
10 Rights, we have our standing courts system, nine City
11 Council people, our mayor, who has held fifty-four Mayor
12 Night, ins and outs, in which we received one complaint,
13 and, of course, myself, which I have community meetings
14 and walk-throughs on a regular basis. So, we don't have
15 a formal citizens board.

16 MR. TABOR: I wasn't addressing a
17 formal civilian review board. My question went to a
18 heart of the question of community involvement and input
19 in the development, on your part, as Chief Officer of the
20 Knoxville Police Department and the development of the
21 direction that the Department is going to go in actually
22 having citizens from the community, appointed by you or
23 someone else -- hopefully by you, who meets with you on a
24 regular basis to provide their input in the direction
25 that the department will be going?

1 CHIEF KEITH: Yes. Well, we have a
2 number of outlets. We don't have a formal setting, but
3 we do surveys, we get out and meet with the community; as
4 I mentioned earlier, Mayor's Night In and Out require our
5 presence at every meeting. That's happened fifty-four
6 times, when we sit and talk with the community members at
7 different locations throughout the community. We have
8 147 neighborhood watch programs that, through the course
9 of the year, I will make it to all 147. We have special
10 event-type activities through K.C.D.C., our partner in
11 our public housing, as well as other factions. Our
12 schools, our P.T.A. meetings, P.T.O. meetings. The
13 University, we have, just last year, I think, finished up
14 probably about a year-and-a-half session with the
15 University to talk about campus crime; what we can do to
16 help them, what they can do to help us. So, we don't
17 have a formal group, though. But we get a lot of advice.

18 MR. TABOR: Thank you, Madam Chairman.

19 MS. WURZBURG: Just real quickly, and
20 I think just a brief response. I presume in the twenty-
21 week plus sixteen additional week training, race relation
22 work is taught there as opposed to in-service training
23 for the already-trained officer?

24 CHIEF KEITH: It's taught in the basic
25 school, in the F.P.O. program, in the in-service training

1 and our command staff training.

2 MS. WURZBURG: If a Knoxville Police
3 officer sees an action by the U.T. Police -- let's say,
4 for example, if they had driven by and seen what we heard
5 testimony to earlier, would they have any authority to
6 stop and ask what is going on, or if this is appropriate
7 conduct?

8 CHIEF KEITH: They have the authority
9 to stop. Again, I don't know the facts of this case --

10 MS. WURZBURG: I don't either except
11 what was testified. I haven't heard the other side, of
12 course.

13 CHIEF KEITH: I would tell you that I
14 would hope -- I have all the confidence in the world that
15 the officers in our department, if they saw excessive
16 force being administered or used to affect an arrest,
17 they would stop it.

18 MS. WURZBURG: The black population of
19 Knoxville is about what percent now? Do you know
20 offhand?

21 CHIEF KEITH: Roughly fifteen percent.

22 MS. WURZBURG: What percentage of the
23 Internal Affairs complaints are racial in nature?

24 CHIEF KEITH: Of the complaints are
25 racial in nature. I want to say 41, 42 percent which is

1 commensurate with the arrest demographics.

2 MS. WURZBURG: And lastly, how do you
3 assess the race relationship your department has with the
4 minority community in Knoxville? I mean, if you were to
5 make an assessment; good, better, best, or from one to
6 ten, how would you feel?

7 CHIEF KEITH: I think that it's
8 changing every day. I don't think it's where it can be,
9 but I think it's changing every day. I can talk to Mr.
10 Roberts who's here with you today. He will give me one
11 version or one idea of perception. When I talk with
12 representatives from Hickman and other representatives in
13 the community, I get a little different reading. That's
14 not -- that's not unlike any other part of our community.

15 MS. WURZBURG: I do want to tell you
16 that there's a project going on in Memphis that is
17 interesting; the newly formed Mediation Association of
18 Tennessee has met with Chief Burgess to discuss a
19 Community Mediation Project starting in the project, in
20 the housing project to help teach conflict resolution for
21 citizens before it escalates into some form of self-help,
22 and that might be a concept. There is a Professor
23 Grayford Gray here at the University of Tennessee who
24 runs the Knoxville Mediation Association that you might,
25 perhaps, would like to have a conversation about it. It

1 might be an interesting --

2 CHIEF KEITH: We have an ongoing
3 working relationship with him; have had for more than ten
4 years.

5 MS. WURZBURG: Thank you very much,
6 Chief.

7 CHIEF KEITH: Thank you.

8 CHAIRPERSON NEUMAN: We appreciate you
9 being with us today. Let me try to go back to U.T.
10 Professor Ziegler. Would you like to make a statement to
11 us today?

12 (Dr. Dhyana Ziegler, Dept. of
13 Broadcasting, University of Tennessee)

14 DR. DHYANA ZIEGLER: Let me apologize
15 to the people who have been here waiting, if I have
16 jumped the agenda here, and also the Committee, since I
17 felt that my confirmation on the phone was enough to get
18 on the agenda here.

19 Let me say, first of all, that I
20 believe that some of the issues and the problems and
21 concerns that we are talking about here in Knoxville
22 basically mirrors the same issues, problems, and
23 struggles that we are having across many cities all
24 across the United States. I believe that some of the
25 problems are as a result of the shortcomings in our

1 educational system; the economic, political and just
2 social conditions in general.

3 I do want to go back to the issue that
4 you are discussing regarding the University of Tennessee,
5 being a faculty member in the College of Communications
6 and also very much involved in the discussion of hate
7 speech and first amendment issues, to sort of fill in
8 some of the holes or to expand on what Mr. Baxter was
9 saying.

10 We have, indeed, had an ongoing
11 dialogue regarding hate speech since 1987 when the first
12 incident regarding two students walking across fraternity
13 row, they were hit with racial epitaphs. At that time,
14 the Chancellor convened a task force on race relations,
15 which I served as a member of that task force, where we
16 deliberated for at least nine months discussing, among
17 that issue and others, regarding the state of race
18 relations on the University campus. That dialogue has
19 continued. In addition to the article that has come into
20 discussion, the Taurus Bailey article, there were several
21 articles the year prior -- maybe as many as six or eight
22 -- by a Robert Taylor and some other students, that
23 appeared in the Daily Beacon. This has been an ongoing
24 issue of students expressing themselves on the editorial
25 page in the paper.

1 The panel discussion that Mr. Baxter
2 discussed was actually organized by faculty members,
3 themselves. We have also met with student leaders, we
4 we have met with the Daily Beacon newspaper. I think
5 that Dean of Students as well as the Associate Dean of
6 Students, who is an attorney who serves on the Commission
7 for blacks, has also engaged in much dialogue regarding
8 the hate speech issue. And if you have followed what has
9 happened on university campuses across the country, many
10 universities are struggling with that same issue. And I
11 just want to assure this Committee that it is being
12 looked at from the inside, and it is being addressed.

13 I must also say that change is a very
14 slow process. It does not take one sit-down at the table
15 discussion, it does not take one seminar. It takes an
16 ongoing dialogue. It also takes a beginning that starts
17 in the home and in our primary and secondary educational
18 school system, I'm sure, which is another issue that will
19 come up here today. So that I don't want to leave the
20 impression that it has not been dealt with. It is still
21 being dealt with and is still being addressed regarding
22 how to address it without having to enforce rules.

23 I think the first amendment issue is a
24 very, very difficult one, because the student newspaper,
25 basically, has a certain amount of autonomy. We are not

1 responsible and we are not one to dictate to the school
2 newspaper what they can and what they cannot do. So, it
3 takes that internal educating which we are trying to get
4 them to understand the ethical issues involved. And
5 then, when you put something and you decide to print
6 something, that there is an ethical check list that, as a
7 journalist, that you must go through and think about how
8 is this going to impact the community as a whole, how is
9 it going to impact people, and what sort of effect that
10 it's going to have at the community at large. So, I just
11 wanted to address that to say that we are still trying to
12 discuss that issue.

13 My other comments, basically, are
14 based on my own reflections. As a member of the
15 Knoxville community, I have been here for over seven
16 years, and I have seen a lot of turnover in people; not
17 only at the University but just professionals coming into
18 the community; coming and staying for a year or two and
19 then leaving. And I think that while some of these
20 people have moved on because of better opportunities out
21 there, that some of them are leaving because of the
22 climate in the Knoxville community, in general.

23 Some of the feedback that I have
24 received, even recently from a new member moving in, is
25 that there is a lot of problems regarding just housing,

1 trying to rent apartments and trying to rent houses in
2 certain areas of the community. I have a couple of
3 scenarios that I had someone draw up for me, and this was
4 a person who was trying to answer an ad about a home in
5 Chilhowee Park, I suppose. And when she called about the
6 apartment and coming out to see it, she was told to take
7 the main highway or the Asheville Highway which turns
8 into Magnolia Avenue, as you get closer to downtown.
9 Then, the person on the other end of the phone added,
10 "Well, I don't think you should go Magnolia because there
11 are a lot of black people there." So, she reacted,
12 "Well, I'm black." And of course, there was a lot of
13 silence on the phone, and at that point, she says, "Well,
14 just quit while you're ahead and don't dig yourself
15 deeper into a hole." I mean, I have at least five or six
16 of these incidents, even using terms such as, well, we
17 don't mind colored people living into -- living in our
18 houses. Then, when this person arrives, all of a sudden,
19 they want to rent to couples or, for instance, they'll
20 say, "Well, I don't think we want to rent right now. We
21 are going to be looking maybe six months down the line."
22 So, that there are some difficulties in housing.

23 About a year and a half, two years --
24 I don't know, maybe Ms. Greene or Dewey Roberts would
25 know for sure, there was a cross burning on the lawn of a

1 black couple's home in West Knoxville. So, that I think
2 that that clearly spells out some tension. There was an
3 article in the paper, I guess, just last week talking
4 about banking in the community, and they had looked at
5 themselves and discovered that they were lending -- the
6 lending policies basically reflected that they were
7 giving bank loans to approximately seventy percent of
8 white applicants and maybe thirty percent blacks, and
9 realized that there had to be some kind of discrepancy
10 there, and they wanted to address it. I believe that if
11 all the other banks took the same look at their records,
12 they would probably find some of the same discrepancies.

13 There are other issues regarding
14 minority businesses and vendors and trying to get bids on
15 state contracts, as well as other support from the
16 community, to help them sort of stay afloat. And I
17 understand that there are some businesses now that are
18 filing a lawsuit.

19 A personal experience I had with my
20 colleague, we were coming back from Georgia, and while
21 this is not directly in Knoxville, but it was twenty to
22 thirty miles out, I think that that's close enough to
23 talk about the surrounding counties. A group of white
24 males rode the bumper of our car within five to six
25 inches. When we speeded up to 65 to 70, they continued

1 to ride our bumper for at least two to three miles. Now,
2 I must say that that was an extremely frightening
3 experience for me. My colleague, who is from Mobile,
4 Alabama, and she clearly says that in her day, they
5 called that "Nigger knocking", was extremely frightened
6 over that, and that clearly tells me that there are some
7 real problems out there.

8 I know of some people who are now even
9 considering maybe even carrying firearms for safety. I
10 don't know. But there are other incidents that are
11 reported, from time to time, that definitely reflects
12 that there is some tension, and that this is not
13 necessarily in one community. I think that this reflects
14 north and south and east. And again, I know that these
15 issues that I'm addressing also mirror some of the things
16 that's happening in the country.

17 I think the school desegregation
18 issue, and I'm sure that somebody will talk about that,
19 is also putting more of a strain on race relations in the
20 community. And I guess I personally feel that the issue
21 of equal opportunity and the equalization of the
22 curriculum and facilities, until that issue is solved,
23 that racial tension will continue to escalate. And I
24 will be willing to answer any questions.

25 CHAIRPERSON NEUMAN: Tommy, you want

1 to start down there?

2 MR. TABOR: No, I don't have any
3 questions, Madame Chairman.

4 CHAIRPERSON NEUMAN: Jim?

5 MR. BLUMSTEIN: Thank you. That
6 episode about the car was very frightening. I can
7 certainly empathize with you. I just want to ask you
8 about your last comment about equalization of the
9 curriculum. Can you say what you mean by that?

10 DR. ZIEGLER: I think that there are a
11 couple of people here that are probably more in a
12 position to address that in detail, but it appears from
13 what I have read in the newspapers that the books in the
14 schools are not uniform across all grades. The
15 facilities are not up to the same standards, and also,
16 probably the technology, regarding computer education and
17 to move our children into the twenty-first century, is
18 not equal among the schools across the board in the
19 primary and secondary education.

20 MR. BLUMSTEIN: Within Knox County
21 this is?

22 DR. ZIEGLER: Yes.

23 MR. BLUMSTEIN: Is there a separate
24 city and county school system, or are they unified?

25 DR. ZIEGLER: Well, they are now

1 unified.

2 MR. BLUMSTEIN: This is within that
3 unified system?

4 DR. ZIEGLER: Right, right.

5 MR. BLUMSTEIN: There are differences.
6 So, it's not the curriculum, it's really in the
7 facilities and technology that you're talking about?

8 DR. ZIEGLER: Well, I also think in
9 the curriculum where you may have one school that, for
10 instance, would offer four years of foreign language that
11 would not be offered in another school. Another school
12 may offer two, but as I said, I think that there are some
13 people here today who would be able to address that in
14 more detail.

15 MR. BLUMSTEIN: Thank you.

16 CHAIRPERSON NEUMAN: All of those
17 schools are funded by the same county property tax?

18 DR. ZIEGLER: Yes.

19 CHAIRPERSON NEUMAN: Jocelyn?

20 MS. WURZBURG: Thank you for an
21 articulate presentation.

22 CHAIRPERSON NEUMAN: Dan?

23 MR. KNIGHT: I have one quick
24 question. The campus, per se, are you able to give any
25 reading on your impression of whether there are any --

1 tensions are increase in that in the three to five years
2 within the campus structure?

3 PROFESSOR ZEIGLER: Well, let me say
4 that we work diligently to try to keep things down. We
5 have tried to take a proactive stance as opposed to
6 reactive. When we started out in '87, it was a reactive
7 stance. We have now taken a proactive stance. There are
8 some programs going on, there are round table
9 discussions; in fact, one that will take place in a
10 couple of weeks. In November there's going to be a
11 dialogue on political correctness. The International
12 House, they deal in celebrating differences, and my other
13 position as Chair of the Chancellor's Commission for
14 Blacks, we have worked with deans, administrators. The
15 Phipsey project that A.D. Baxter talked about is a
16 project that's run by myself and my colleague, who is the
17 Director of Affirmative Action, where we work with
18 faculty members in seminars for ten weeks discussing
19 issues related to diversity. So, there are, again,
20 pockets of activities going on.

21 And as I said earlier, change comes
22 about very slowly, but I believe that you start with a
23 few and the few people are responsible for change. And
24 then, you sort of spread it out. And maybe it's the
25 chief and the Indian theory, whatever theory you want to

1 apply; whatever works. But that it takes a nucleus of
2 people and committed people to deal with and address it.

3 And I think that given our new
4 leadership at the University, we just had a Chancellor to
5 change, and the Chancellor, in every speech that I have
6 heard him address, has mentioned diversity. He has an
7 open-door policy. He admits that he does not know
8 everything about it, but he has allowed us to come in and
9 educate, and that is what it's going to take. I think
10 that even the division that we have among blacks and the
11 Jewish community; and I'm a native of New York. I
12 remember when the black people and Jewish people, as well
13 as Hispanics, were all fighting the same cause and issue.
14 I mean, it's not the same now. We have segmented it off,
15 and we need to come together. And I guess that when
16 there's an array of articles, regardless of who it
17 impacts, if it's blacks, Jewish, women; whatever, you all
18 need to come out and speak about that. I mean, we could
19 pick on one or two, but it's something if you probably
20 looked through all of the newspapers, not only the
21 student newspaper, but the community newspaper, you're
22 going to see biases all across there, because as
23 journalists, we do reflect some of ourselves in that,
24 even though we are taught to be objective. And it's an
25 ongoing struggle. But I also think that the bottom line,

1 it starts with education and then true commitment.

2 CHAIRPERSON NEUMAN: Thank you very
3 much, Professor Ziegler. That is an encouraging
4 presentation.

5 MR. TABOR: Madame Chairman, may I?

6 CHAIRPERSON NEUMAN: Yes.

7 MR. TABOR: Professor Ziegler, may I
8 have one moment of your time, in spite of my statement
9 that I had no questions?

10 DR. ZIEGLER: Yes.

11 MR. TABOR: I keep reflecting back in
12 my mind to the two people who appeared first this
13 morning. I don't know whether you were here at that time
14 or not. They were not students at the University of
15 Tennessee, by their statements. In your opinion, what is
16 the state of the relationship between the University of
17 Tennessee police and minority students?

18 DR. ZIEGLER: Based on the feedback
19 that we get from students that they are treated
20 differently. That is their perception. An example would
21 be if there is a group of students who are members of a
22 fraternity, for example, and they may be doing their
23 steps or something in front of one of the dormitories or
24 something, the U.T. Police would come, would be called to
25 tell them they were being rowdy or whatever.

1 In contrast, if there's a group of
2 white students who may be engaging in some loud dialogue,
3 that they would not get that same treatment. The police
4 would not be called. Maybe someone would come out from
5 the residence halls and say, break it up. There is a --
6 I won't say theory because I think it's real, that when
7 you see a crowd of black men, in any kind of situation,
8 walking down the street, it spells out danger. And, in
9 fact, I think that my business, the media, does promote
10 some of that. So, I think that we don't get that same
11 feeling because most of what we see on 48 Hours and 20/20
12 is -- you know, then, you're going to see the handcuffs
13 and against the wall, so that you don't get the portrayal
14 of the black male in a positive sense mostly played out
15 in the media or promoted, just in general. And I think
16 that there is a group of people on campus who are trying
17 to address that and mentor.

18 But what we try to do, say, in our
19 program, is to let people know just because they are in a
20 group or a crowd, that does not necessarily mean danger.
21 I mean, I don't run when I see a group of white students
22 coming.

23 In contrast, I don't go to my
24 colleagues and ask the same questions that they come to
25 ask me about black students, and a lot of that is because

1 of lack of education, communication, and interfacing. We
2 do not interface to understand and to get the feelings
3 and to communicate with each other, and we don't do that.

4 I think that we have had the Chief of
5 Police on the campus come in and try to explain to us
6 what some of those differences are in the treatment of
7 students, and that is something that we are still talking
8 about and trying to address. But we also need to know
9 what some of those situations are.

10 I even asked on the way, well, what
11 are some of the problems? What I'm hearing about now is
12 more money, more scholarships. That seems to be the
13 focus and the concern of the students from where I'm
14 sitting and serving.

15 MR. TABOR: Thank you.

16 CHAIRPERSON NEUMAN: That is it.

17 Thank you again. Let me just note for every one that we
18 are now down to an hour before this meeting adjourns. I
19 don't want to have to cut anyone off. Let's just try to
20 be as brief as we can.

21 Mr. Brown? Good afternoon.

22 (President and CEO, Knoxville
23 Area Urban League)

24 MARK BROWN: Good afternoon. I'm Mark
25 Brown. I'm President of the Knoxville Area Urban League

1 here. We're an affiliate of the National Urban League,
2 and I appreciate the opportunity to come before you to
3 discuss this most important issue. I will attempt to be
4 brief because time is of the essence here as well as on
5 other schedules.

6 When I first got your letter, it was
7 brought to my attention by my employer, and by my
8 employee, Gloria Garner, that it talked about racial
9 tensions. I felt myself somewhat constrained just to
10 come and talk about racial tensions because there are a
11 lot of things that contribute to racial tensions. And my
12 hope was that -- to give you kind of a broad idea
13 recognizing -- that we recognize the fact that what goes
14 on in Knoxville, as Dr. Ziegler has said, is only an
15 indication of the whole, and the whole of what's going on
16 across America.

17 Racism is a profoundly costly problem.
18 The failure of this nation to come to grips with the
19 existence of racism and discrimination should be a matter
20 of deep concern to all of us. We all pay a heavy price
21 when it comes to racism. The costs are too high, and the
22 problem must be solved. Yes, we do have racism here in
23 Knoxville, and we do have racial tensions that are
24 mounting.

25 The continued presence of racism in

1 our national life is much more than a nuisance, an
2 embarrassment, or a moral outrage. It is a liability of
3 immense proportions. The cost of racism includes what
4 society has to pay in social instability, loss in its
5 capacity to produce and progress, and in constraints on
6 its role as the purveyor of Democratic principles in the
7 developing world.

8 Of course, there are economic costs.
9 The problem of racism goes well beyond the moral
10 imperative to do the right thing. We must decide whether
11 we continue to bear the cost or whether it is time,
12 finally, to balance the ledger of racial justice.

13 An article on race and money appeared
14 in "Money Magazine" in which it said, "While blacks bear
15 the brunt of racism, the resulting inequities cost all
16 Americans enormously. What are some of those costs,
17 because these costs are not only national, but they are
18 local as well.

19 The personal income loss for African
20 Americans in 1989 was as high as one hundred and
21 eighty-seven billion dollars. Over a ten-year period, it
22 becomes 1.5 trillion. These figures represent the
23 difference between total income of African Americans and
24 what the total would be if parity were the order of the
25 day. But this is a simplified comparison analysis. The

1 question becomes what such added consumption problem
2 would mean to the economic welfare of African Americans
3 and the nation's commerce.

4 As one writer has put it, "When
5 talented people are denied access to jobs commensurate
6 with their potential, productivity and economic
7 competitiveness suffers."

8 Here locally at the Knoxville Urban
9 League over the last three years, we have been involved
10 in over 200 employment discrimination cases and 112
11 housing discrimination cases. We are a HUD certified
12 counseling agency. We are the City of Knoxville's Fair
13 Housing Agency, and we have, since our existence in 1968,
14 here in Knoxville, dealt with employment discrimination.
15 Our feeling is this is only representative of a larger
16 problem. These discrimination cases include hiring
17 issues, promotion issues, firing issues, include steering
18 and with regards to housing, block-busting, racial
19 epithets, refusal to rent and provide amenities as it
20 relates to housing, based on race and other protected
21 classifications.

22 Discrimination is one of the fuels of
23 racial tension. So is the lack of economic and community
24 development; jobs, lack of jobs, and lack of access to
25 educational -- to education that is equal in curriculum,

1 facilities and instruction and instructors'
2 qualifications and experiences. We currently do not have
3 this situation here as alluded to earlier by Dr. Ziegler.
4 I'm sure the NAACP, which has been very much involved in
5 this issue, will speak to it earlier. But we have a
6 major problem as it relates there, and it is causing
7 major tension here in our community.

8 The opinions on the educational issue
9 here are very diverse and very divergent, and it really
10 is incumbent upon us locally, and whatever it is you can
11 do, from your seat of power, to help us work through what
12 we think is a problem that is costing the most important
13 asset we have in this community, and that is our
14 children. These inequities result when a human resource
15 is treated as somehow devalued in worth and ability.

16 While Knoxville, over the years, has
17 professed to have a working relationship among the races,
18 we still have our problems as evidenced by our
19 discrimination cases at the Urban League. To address
20 these problems, there needs to be positive state, local
21 and Federal policies and legislation to continue to close
22 the gaps between the haves and the have-nots. There
23 needs to be public and private partnerships and
24 collaboration to set the atmosphere for equality to exist
25 by preparing the disenfranchised to become active

1 participants in this great dream of Democracy. These
2 tasks are the stepping stones of the "Boot Strap Theory,"
3 and necessary for the continued growth of this nation we
4 call our own.

5 People need to understand that this is
6 all our land. Whatever can be done to get that message
7 out -- you know, that's the hardest message to get out,
8 for people to understand that it is not a white land or a
9 black land or a red land, or a yellow land. It is the
10 American land and we are all Americans. United we make
11 it the answer to a dream deferred. Separate, we
12 perpetuate the realities of the past. As a body of
13 believers in the American Dream, we must strive for
14 equity throughout the land. As Whitney Young, Jr. said,
15 "Let's stake our people, their hopes and their
16 aspirations for themselves and their loved ones as they
17 witness all around them great social and technological
18 changes that could, not only threaten their dreams of a
19 better tomorrow, but make uncertain even the sorted
20 existence that is theirs today."

21 In closing, let me say that in
22 Knoxville, as well as American society, we have reached a
23 critical point of departure that could have divisive
24 implications for the long-term future of our country.
25 Whether we will pursue the right course towards strength

1 and vitality, or continue to endure the failures of the
2 past, our future will seem to be uncertain. What is
3 certain is that the future is ours to control. What is
4 certain is that action based on enlightened self-interest
5 holds the greatest promise. What is certain is that
6 lowering the cost of racism is a key prerequisite to
7 progress.

8 While we watch with disbelief the
9 Rodney King beatings by L.A. Police officers and the
10 resulting riots and wonder where are we as a nation? How
11 far have we truly come in race relations? The statement
12 that speaks most profoundly and captures our fear and
13 hope was made by Mr. King himself. "Can we all get
14 along." As far as the Urban League is concerned, we say
15 we can; we say we must.

16 I stand here ready for any questions
17 that you may have.

18 CHAIRPERSON NEUMAN: Thank you, Mr.
19 Brown. Excellent presentation. Tommy?

20 MR. TABOR: Yes. If you were to view
21 the situation here in Knoxville/Knox County, and from the
22 perspective of a clock, with 1:00 on that clock being a
23 little alarm, and 12:00 on that clock being a major
24 alarm, what time would you say it is here in Knox County
25 as relates to the tensions that exist?

1 MR. BROWN: About 8:00, 8:30.

2 MR. TABOR: Why do you feel that the
3 situation is that grave?

4 MR. BROWN: Well, simply because we
5 never know how grave a situation is until the explosion
6 happens. But what I'm saying to you, much like when you
7 have a situation of a history of people -- this is across
8 the country -- feeling disenfranchised, when you have a
9 situation of people, and some of the incidents that Dr.
10 Ziegler mentioned, some of those cases through us, I know
11 what she was talking about.

12 The reason I say 8:30 is because there
13 are a lot of things going on here in Knoxville now that
14 have lit a fuse, I believe, that if we don't do something
15 in regards to education issues, if we don't do something
16 with regards to employment, with regards to crime, we
17 will be moving very fastly to 12:00. Now, we have moved
18 fastly to 8:00, and I don't think that there are as many
19 indicators, in my opinion, although there are equal
20 number of numbers from one to eight. I think the
21 indicators to get to eight are very small and very
22 subtle, and things that we tend to overlook, but after we
23 get past the half hour, after we get past 6:00, seven or
24 eight, that is when we begin to look up. And part of the
25 reason that you're here is people across the country are

1 beginning to look up. And usually when we look up, half
2 of our time or half the problem has gone by, and that's
3 why I say that it is probably that grave.

4 Now, I don't know if tomorrow or the
5 end of this year we will have a race riot, but I think
6 that if we don't do something, you know, we will be
7 moving very quickly to 12:00. I hope my perception is
8 wrong, but I think that by putting it there, maybe that
9 will bring it to some people and say we need to take a
10 look at it.

11 Because there are things -- I, myself,
12 you know, have experienced the racial epitaphs. I,
13 myself, have been on phone calls where they say, well,
14 wait a minute, you're a nigger, aren't you? To have to
15 deal with those kinds of things, you know, and I'm,
16 quote, unquote, supposed to be working in a professional
17 situation helping people. But these things are out
18 there, and those are the small things. The large things
19 become the riots, those things of this nature. But we
20 are, right now, getting over those small hurdles and are
21 about to get to the larger hurdles. So, that's why I say
22 that we have had incidents when -- and it was in the
23 paper, and I don't want to misquote the paper, but
24 sometime ago where a local, very famous author moved to a
25 very predominant, very prosperous, and very well-to-do

1 neighborhood. And this individual is known nationwide,
2 but it caused racial tension. And you would think of an
3 individual of that stature to move into a community of
4 that nature, he could afford it. You know, he could
5 afford to be there, he could afford -- or he brought much
6 prominence to that community, but there still were
7 problems with regards to those people in that community.
8 And these are supposedly the learned individuals of our
9 community. These are supposedly the individuals who are
10 well-to-do. These are supposedly the leaders of our
11 community. But there was a problem, and that indicates
12 that, while we may perceive ourselves of being at 3:00,
13 we may more likely be at 8:00. Thank you.

14 MR. BLUMSTEIN: One question for you,
15 Mr. Brown. You were giving some data about income loss,
16 and I think you quoted "Money Magazine", if I remember
17 correctly, with a figure of one hundred and eighty-seven
18 billion --

19 MR. BROWN: That figure didn't come
20 from "Money Magazine". I quoted a quote from "Money
21 Magazine". That figure came out of our National Research
22 Department in Washington.

23 MR. BLUMSTEIN: Okay. From the Urban
24 League's National Research Department.

25 MR. BROWN: Uh-huh.

1 MR. BLUMSTEIN: And the question, I
2 think the measure was -- and I tried to write it down.
3 I'm not sure that I got it right. Assuming black/white
4 parity, is that the basis of the measurement?

5 MR. BROWN: (Whereupon, Speaker nods
6 his head.)

7 MR. BLUMSTEIN: Tell me how that is --
8 what methodology was used for that? I'm interested to
9 know how that is --

10 MR. BROWN: Well, it would take
11 awhile, and I will be very honest with you. I will be
12 glad to provide for the Committee a copy of that article,
13 as well as the Urban League's article on parity, and the
14 parity of equation as it relates, not only to employment,
15 but education, etc. That one was based purely on the
16 fact that if parity existed, and that was with regards to
17 the kind of things I have heard some questions asked
18 about what the percentage is of African Americans in this
19 community. If parity existed, if people of like
20 education, of like experience, of like background, were
21 given like salaries and like jobs, then the difference it
22 represents -- then that is where the difference is
23 represented. And the position of the Urban League with
24 regard to the document is that there is a major gap
25 between, not only that as the race of African Americans,

1 but also gender.

2 Now, we think that there are more
3 research that says that an African American male with a
4 college degree, you know, doesn't make what a high school
5 educated white male in this country makes. You know,
6 there is a difference right there.

7 So, when you look at those kinds of
8 basic indicators, and I'm sure an economist would come
9 and say we need to factor in this, we need to factor in
10 this, all those things go. That's why I say it's a very
11 -- it's an over-simplification, but it highlights a very
12 crucial and key problem. And that problem is that if
13 parity doesn't exist, then tension comes about. And the
14 reason parity doesn't exist is because of the history we
15 have had of overt racism.

16 And now we have a -- now it's kind of
17 become institutionalized, to a degree; not overt, you
18 know; covert at times. It's not as overt as it was in
19 the days of past of my mother and father or my
20 grandparents, but it still exists. And what happens is
21 those vestiges continue to operate in an
22 institutionalized manner, and you have disparity with
23 regards to income, disparity with regards to education,
24 disparity with regards to amenities being in your
25 community. But that particular issue there was based

1 purely on looking at the statistics as it relates to, you
2 know, where a person is, and a like person of race or
3 color, where they should be, and if all was equal.

4 The major difference was over whatever I said -- I can
5 look back, you know. It was in the billions of dollars,
6 and I will be glad to provide a copy of that document and
7 a copy of our parity index for you. And we hope you look
8 at it, and adopt it and take it down to Washington or
9 wherever you want to go. It's already been to
10 Washington. We presented it there. But I'll be glad to
11 provide it to you.

12 And I have to leave out. My wife is
13 at the doctor. I dropped her off. I came here to do
14 this. I have got to go back and pick her up because I
15 want to continue to be married. Gloria Garner will get
16 your address, and I will send you whatever information
17 you want.

18 CHAIRPERSON NEUMAN: I think that is
19 the close of questions --

20 MS. WURZBURG: Real quickly, Mr.
21 Brown.

22 MR. BROWN: Yes, ma'am.

23 MS. WURZBURG: You're a long line of
24 marvelous Urban League directors. Woody, at one time one
25 of your predecessors, was on this Commission and died.

1 We lost him as he was trying to attend one of our
2 meetings here.

3 What I just want to respond to follow
4 up is we have the figure in the women's movement that
5 sixty-two cents on every dollar is the average. I had
6 forgotten what the black male figure is, but the bottom
7 line of it is, that means a lack of consumerism, of not
8 making the economy work. You get more hands -- nobody's
9 going to run off to Paris and destroy the balance of
10 payments. We're talking about buying golf clubs and a
11 can of paint and fixing up the house, that is what we're
12 talking about.

13 MR. BROWN: In some instances, food on
14 the table.

15 MS. WURZBURG: Thank you.

16 CHAIRPERSON NEUMAN: Dale, did you
17 have anything you wanted to -- thank you so much, Mr.
18 Brown. We appreciate your time.

19 MR. BROWN: Thank you.

20 Q CHAIRPERSON NEUMAN: Okay. Kelsey
21 Finch is not here. Sorry. Ms. Greene?
22 (Sarah Moore-Greene, NAACP
23 National Board)

24 SARAH MOORE-GREENE: Thank you very
25 much. I'm Sarah Moore-Greene. I have worked here in

1 Knoxville for more than fifty years. I am retired. Not
2 -- I'm retired from a job, but I'm busier now than I was
3 when I was working. I have been retired for more than
4 eight years, and I wonder how I've lived through it to
5 work and continue to do the things that I have done over
6 the period of years.

7 I have worked with the NAACP for more
8 than forty years. I've worked on the board -- on the
9 National Board now for thirty-two year. I was very, very
10 fond of Mr. Kevy Kafton. We worked together very
11 closely, and we regret his presence today because he
12 certainly served with us until his death.

13 As I say, being on the National Board
14 and living in Knoxville all my life, practically all my
15 life, I have worked with people from all walks of life;
16 from the man in the ditch to the presidents of
17 universities of higher learning like the Knoxville
18 College and the University of Tennessee. But what I have
19 got to say, I'm going to make it real short, because I
20 see the time is really running out, and I have my local
21 President here, and I want him to say just a word, Dewey
22 Roberts, before I finish. But I would like to leave this
23 fact with you.

24 I have eight points that I want to
25 talk about. I'm just going to give you these eight

1 points. I'm not going to even go into detail. I have to
2 say a little something about the first one because it's
3 the closest to my heart.

4 Yes, racism is well, alive and
5 thriving in Knoxville. And it's very sad when I think
6 about the things I worked for the last forty years, that
7 I thought I had accomplished; they have resurfaced again.
8 And I would like to say that racism, racial tension is
9 shown by -- I'm going to make these eight points that I
10 want you to remember. The first one is the continuing
11 struggle for desegregation; desegregating the school
12 system here in Knoxville. We have -- that is the thing
13 that is closest to my heart. At night, my telephone
14 rings. It's the parents telling about how their children
15 are being treated that are attending these predominant
16 white schools, how the bus treats them, puts them off.
17 If they get up out of their seat, they put them off and
18 let them get home the best they can. Teachers are
19 calling and telling me what happens, of disparity in
20 treating of these black students, and we have filed a
21 complaint with the Office of Civil Rights in Atlanta to
22 no -- we haven't got any results from it; just
23 correspondence, backwards and forwards.

24 Now, that is a thing that is mostly --
25 is heaviest on my heart, things that concern me the most.

1 And during this period of working in the school system,
2 you might say I was the first black ever served on the
3 City Board of Education before they were consolidated,
4 and I was a member there for sixteen years. I have
5 received all types of threats, telephone calls, people
6 coming, harassment because of my position that I have
7 taken on; equality of all children, and this is what I
8 have contended for and will be continuing to push for as
9 long as I am alive.

10 As I say, the first one -- I'm just
11 going to go over the rest of them very briefly. The
12 second way that racial tension is shown is the failure of
13 our educational system to provide equal educational
14 opportunities for all students. The new desegregation
15 plan, the blacks are bearing the brunt of this plan.
16 We're hoping through court litigation that we are going
17 to be able to bring us back at least to square one where
18 we started thirty years ago, and start all over again.
19 They have deprived us of our majority-to-minority
20 transfers. They have put in a quota system and we are
21 really suffering. And we have -- we have made a number
22 of complaints, to no avail. We haven't got any relief.
23 Our national office, at this time, has taken action to
24 bring a suit in court. These people here don't know
25 anything unless what the court makes them do, they are

1 not going to do anything. I'm convinced of that. So,
2 I'm not worried. I know we'll never get results until we
3 do take them to court.

4 The third thing that is shown in our
5 racial tension is the continuing disappropriate
6 unemployment rate among minorities. I'm just going to
7 give you these things, that they contribute to this
8 racial tension.

9 The fourth thing, there is no radio or
10 major newspaper geared toward minority interests. In
11 fact, we only have one newspaper here in Knoxville.

12 The fifth thing is the lack a minority
13 representation in managerial positions, and the scarcity
14 of clerical help at the Federal, state and local level.
15 One example is the F.B.I. new building here. You go
16 through there, it's lily-white. You don't see a black
17 anyplace.

18 The sixth is the continuing
19 segregation of social programs in our churches that all
20 of this is -- I'm -- you know, they contribute to the
21 racial tension here. The trend of locating businesses in
22 areas difficult for minorities. I live in a
23 neighborhood, I have lived there forty years in this
24 neighborhood. It's a lovely neighborhood when I first
25 moved in it. I have to go at least a mile or two miles

1 away to get to a grocery store. We don't have anything.
2 Nothing is located in our neighborhood.

3 The third -- I mean, the last thing
4 will tie in with the seventh thing. It's a general
5 neglect of areas heavily populated by minorities. All
6 these things, and believe it or not, tension is high here
7 in Knoxville. I spend my time trying to calm the tide.
8 People are fed up over -- the black people are fed up
9 over the way they have been treated. And I'm not -- I'm
10 going to be surprised if anything happened, because we
11 are not going to continue to have them to close our
12 schools and send our children fifteen to twenty miles
13 away to a school and put them in these schools as quotas.
14 And you know we fought that quota system a long time ago.
15 You see, we had a majority-to-minority transfer, and our
16 children could go to a school if they felt they had some
17 particular subject that they needed that wasn't offered
18 in their particular neighborhood. But now, you can't do
19 it. They tell you you can't go to the closest school
20 that offers that subject. They will tell you, huh-uh,
21 you can't go to that school. They have got their quota
22 there.

23 You have to go -- I have a nephew that
24 had to go fourteen miles away to school because they had
25 this quota in all the area schools, and really, it's a

1 sad and pathetic case here. When you talk about racial
2 tension in Knoxville, we have it, and it will continue.

3 And I'm going to stop here because I
4 want my -- we have other things -- we cover the
5 waterfront, you know, the NAACP, we -- employment,
6 housing and everything, and it would be impossible for
7 me. I would like to go -- to even go through all these
8 things that we encounter here. But we have our local
9 President, Mr. Dewey Roberts, and I'm going to give him
10 -- I think I took about seven minutes. I will let him
11 take the last three.

12 (Dewey Roberts, President,
13 Knoxville, NAACP)

14 DEWEY ROBERTS: Okay. My name is
15 Dewey Roberts, and I am President of the Knoxville NAACP.
16 I agree with all the other people that have talked to the
17 Committee today. I appreciate the opportunity to be
18 here. I agree that racial tensions are, not only in
19 Knoxville, very bad, but across the country, and we feel
20 that, you know, it starts in Washington. It's been a
21 withdrawal of the commitment to civil rights and civil
22 rights programs that have brought this country, brought
23 it somewhat to where at least there was a light at the
24 end of the tunnel. There has been a retreat, and we feel
25 it here in Knoxville as well as across the country.

1 I would say the Knoxville NAACP
2 receives on an average of fifteen to twenty calls a day.
3 Probably eighty percent of those calls dealt with
4 employment discrimination. Ten percent, roughly, with
5 police brutality. Other brutality cases that we get,
6 probably thirty percent of them have to do directly with
7 U.T. police. This latest incident, the young man that
8 testified first today, he called me, and I referred him
9 -- I told him immediately to go to the U.T. Police
10 Department and file a complaint with them, and then, I
11 think he has a very good opportunity for litigation. I'm
12 glad he did not get too much into details what his case
13 -- I know in detail what happened, and I think he has a
14 very good chance for successful litigation against U.T.
15 Police Department.

16 Chief Keith mentioned that he did talk
17 to the Knoxville City Council about a couple of weeks
18 ago. The Knoxville branch of the NAACP has asked for the
19 City of Knoxville to form a civilian review board
20 immediately. I have made this presentation to the City
21 Council probably two or three times, highlighted how
22 intense the racial tension is here in Knoxville, in the
23 inner city, especially in the public housing areas. The
24 tension is so high it would not take but one or two
25 police brutality or police overuse of force to have a

1 major civil disturbance here.

2 Only as recently as a couple of months
3 ago, we had an incident in one of the city housing
4 projects, where there was a felon, a convicted felony,
5 that had gone there, and the police had gone to apprehend
6 him. And even though the citizens of that community knew
7 that this young man might have been guilty or that he was
8 a convicted felon, they still rallied around the young
9 man as opposed to the police department. That is an
10 indication right quickly that you have some serious,
11 serious problems in terms of people and who they identify
12 with. So, we have that kind of situation going on. It
13 was a near riot is what it ended -- and I went out there
14 immediately when it happened and talked to the people and
15 tried to calm them down saying, hopefully, that the City
16 of Knoxville will adopt a civilian review board where we
17 can talk about -- where we can have input into what goes
18 on.

19 The police chief gave all these little
20 different scenarios, where you can go and all this kind
21 of mess. The bottom line is if the citizens do not feel
22 that they have any input into what goes on in terms of
23 police brutality and police excessive force, then they
24 feel no more comfortable going to the F.B.I. than they do
25 -- the Police Internal Affairs Division is where you have

1 to go to file a complaint.

2 So, again, racial tensions are high
3 here in Knoxville. I have said it numerous times during
4 these last few weeks to the city leaders here in
5 Knoxville, and I don't know what is going to come out of
6 this civilian review board. We hope that they will adopt
7 it, and if they don't adopt it, we will do the next best
8 thing which is -- you know, I feel -- I think that most
9 of the people feel like we are going to end up having to
10 go back to the streets like we did in the sixties. Now,
11 that is a sad commentary for 1992. But, you know, a lot
12 of people feel like, you know, the only way that you're
13 going to get respect is to demand it and take it, or
14 whatever -- however it goes. But we have some serious
15 problems in our community. We need police protection,
16 but along with that protection, once a person has been
17 handcuffed, there is absolutely no excuse to do what they
18 did to this young man. I know his side of the story, and
19 I don't have to know their side of the story. I know
20 there was more than one and there was one of him. So,
21 there's nothing they can tell me, but the courts will
22 decide that.

23 But anyway, those kinds of things, and
24 the Knoxville Police Department has some serious, serious
25 problem with police brutality. I think the Chief of

1 Police here in Knoxville is committed to eradicating that
2 problem, but there are a lot of layers, you know, below
3 him. I know, I think, personally, he would like to see
4 that eliminated, but I don't think the bureaucracy is not
5 set up for him to do that. So, we have to have some kind
6 of input. And I like the idea of the Citizens' Advisory
7 Panel was an excellent idea and it's something you might
8 consider if this other thing does not work. I'm going to
9 keep on hollering until we get what we need, though,
10 whatever it is. So, thank you for your time.

11 CHAIRPERSON NEUMAN: Thank you, Mr.
12 Robertson. Much of this information is now becoming
13 redundant, but if anyone has any questions that they need
14 to ask of Mr. Robertson or Ms. Greene, go ahead and do
15 that. Tommy?

16 MR. TABOR: No.

17 MR. BLUMSTEIN: Is it Mr. Robertson?

18 MR. ROBERTS: Roberts.

19 MR. BLUMSTEIN: Mr. Roberts, I have
20 one question for you. Does the NAACP have a position on
21 the litigation involving small rural school districts?
22 Are you all worried about the draining of educational
23 resources into the rural counties and away from the big
24 cities, and the disproportionate effect this might have
25 on the black community?

1 MR. ROBERTS: We have not taken a
2 position, statewide or nationally or locally. Locally,
3 we have spent all our time dealing with the Knoxville
4 education system which is, you know, they are spending
5 money to train and educate white kids and not spend it on
6 black kids on this community. So, we really have not
7 taken a position on the State issue in terms of that.

8 MR. BLUMSTEIN: Are you worried about
9 that?

10 MR. ROBERTS: Not really. I'm more
11 worried about -- my immediate certain has to be Knoxville
12 and the inner city black children in Knoxville that are
13 being --

14 CHAIRPERSON NEUMAN: Jocelyn?

15 MS. WURZBURG: No, but thank you very
16 much.

17 MR. KNIGHT: If you have other
18 information, I would like for you to submit it. It will
19 be a part of the record. I realize that you have a lot,
20 and as Ms. Greene said before, we'll be happy to
21 incorporate any other information that you have. That
22 goes for anyone else that we have.

23 MS. WURZBURG: I'm sorry, ma'am. I
24 didn't get point number six. Well, that's going to be in
25 the transcript, but what about the churches?

1 MR. BLUMSTIEN: Continuing
2 desegregation.

3 MS. WURZBURG: Okay. They got it.

4 MS. GREENE: The continuing
5 desegregation of social programs, yeah, of social
6 programs in the church. See, our social programs are
7 segregated; all social problems, and our churches are
8 segregated. So, we don't have any place to go.

9 MS. WURZBURG: Thank you, Ms. Greene.

10 CHAIRPERSON NEUMAN: Dale? Thank you
11 very much, Ms. Greene, Mr. Roberts. Let me just ask a
12 question. Are Delores Mitchell and Gloria Moore in the
13 room? They are both here. Okay. Ms. Mitchell?

14 MR. TABOR: Madame Chairman?

15 CHAIRPERSON NEUMAN: Yes, sir.

16 MR. TABOR: How many other individuals
17 will be testifying?

18 MR. KNIGHT: These are the last two,

19 CHAIRPERSON NEUMAN: That's why I
20 asked the question.

21 MR. TABOR: The individual, Robert
22 Moses?

23 MR. KNIGHT: He will not be here.

24 CHAIRPERSON NEUMAN: Ms. Mitchell?

25 (C. Delores Mitchell, Regional Director,

1 Knoxville, Office, TN Human Rights Commission)

2 C. DELORES MITCHELL: Good afternoon.

3 Thank you for this particular opportunity. I would like
4 to start by saying that having heard all the comments so
5 far, a lot of THE information is redundant. I'm going to
6 try to limit that in my presentation to you. But one of
7 the things that struck me when I walked into the room is
8 one of the things I want to mention to you, and then I
9 want to take sort of a philosophical approach to what I
10 want to say. But for just a couple of seconds, I wish
11 everyone would look at the two pictures on the wall.

12 Racism in America has existed since
13 the first landing at Plymouth Rock. The Pilgrims were
14 introduced to a group of people who were different in
15 physical appearance, stature, color, speech, worship and
16 culture. The group had sailed from England to find a new
17 colony in which they could proclaim their freedom to a
18 land where they could make their own decisions, only to
19 discover it, too, was inhabited. Because the original
20 premise for coming to America was to experience life,
21 liberty and the pursuit of happiness, it is not very
22 difficult for me to understand that the Pilgrims were so
23 focused on themselves that they instituted and initiated
24 the trek of the American Indian two thousand miles across
25 the Americas, to a portion away, at least, away from a

1 portion of the land they had occupied long before the
2 Pilgrims came. The result was death, despair and loss of
3 the very freedoms that the Pilgrims have envisioned for
4 themselves. And I think that speaks to what is happening
5 to us today.

6 My question today would be the same as
7 it would have been at that time. Whatever happened to
8 that great Pilgrim religious belief that we should love
9 as neighbor as ourselves? The experience of slavery in
10 America held both economic and social benefits for white
11 America. Economically, the slaves performed the work.
12 Socially, if you were a slave owner, you were accepted
13 into a class system that, in a lot of instances, was
14 above that of your peers.

15 Another immediate part of slavery that
16 had to do with white America, owning slaves had to do
17 with the fact that the master could use these people for
18 his own exploitation, that being -- them being beneficial
19 for sport, and we see that when our black men are
20 exploited by the colleges in terms of athletics instead
21 of academic, for entertainment, when all our children
22 know about black people is that they have rhythm, can
23 dance and put together rap music, rather than looking
24 beyond that to an educational system that would be
25 beneficial for all of us. And, of course, the age-old

1 adage of sex.

2 Why are blacks incarcerated more
3 often? An example that I want to make to you -- and I
4 wish Chief Keith were still here -- is one that affects
5 me personally. My brother and his companion, a lady, who
6 live in East Knoxville, were involved in a domestic
7 dispute. Someone called the police. They were raising
8 their voices. Instead of dispatching one or two
9 policemen, there were four. They walked into their
10 apartment, started to use profanity, referred to him as
11 "Boy", and tried with all diligence to provoke him to
12 anger. When that did not work, and he decided to respond
13 to them in an intellectual manner, they handcuffed him,
14 forced him in the patrol car and referred to him as "A
15 smart-assed nigger".

16 In Knoxville, more blacks are
17 detained, arrested and convicted, given longer sentences,
18 and inadequate counsel. Why? This question must be
19 answered by the judiciary and the judicial system. Some
20 of the answers have to do with class and economics.
21 Justice is for those who can afford it. The media plays
22 on issues that provides sensationalism and have that
23 particular kind of impact. They would rather show the
24 graphic results of a murder on the streets in the black
25 community in Knoxville than show the members of a church

1 feeding the homeless. They would rather show and discuss
2 the black male as a pusher or a pimp than the president
3 of a college, or owner of a successful corporation, or
4 head of a publishing empire. The media would rather show
5 a black female prostitute or welfare mother than a poet
6 laureate or a congresswoman or mayor. They would rather
7 show black children looting than receiving awards for
8 academic excellence.

9 Blacks and whites see blacks,
10 specifically black males, in a negative light, when we
11 rely on the media. Adequacy of facilities and
12 availability of conducive educational environments, what
13 does that mean in Knoxville, Tennessee when a system will
14 spend two million dollars to equip the Farragut High
15 School and have math, science, foreign languages,
16 computer sciences, the latest technology, exceptional
17 teachers and guidance counselors and not spend the same
18 amount of money in East Knoxville at an Austin High
19 School. Why is desegregation so difficult for Knoxville,
20 Tennessee? Why are our black children, being so few in
21 number, made to suffer so much?

22 Another personal experience that has
23 to do with the school system, and, of course, I have no
24 children in the school system, but I have a passion for
25 children. I was contacted along with 69 other people in

1 the community by the Big Brothers and Sisters to assist
2 them in an effort at Bearden Middle School to help the
3 children assimilate in the environment because of the
4 transfer, because of the desegregation plan. Of the
5 children who were in Bearden Middle school, less than
6 five percent were our black children. So, I ask you, who
7 benefited by that?

8 Equity provides balance and offers
9 equal access to all who wish to take advantage.

10 Business, both private and public, when hiring, has to --
11 when hiring, has to feel that an individual is going to
12 be a benefit or profit to the organization. There must
13 be an understanding that there are people of diverse
14 backgrounds who can serve their needs economically. For
15 example, there is no business in Knoxville that can stay
16 open if it does not have both black and white patrons.
17 This is an economic fact. Therefore, if business, both
18 public and private, require both to keep it open, it must
19 realize that it has a responsibility to hire both black
20 and white.

21 Again, I refer to the decor on the
22 walls. It symbolizes to me the attitude that exists in
23 this city, in this state, and in this country. And if
24 you will notice, there is a majority in the picture. And
25 the only minority is in the background, and it's a --

1 there are two Indians, but they are not as prevalent as
2 the other characters are, and none of those are black
3 people. Racism in Knoxville and rampant. Knoxville has
4 the proud distinction of being referred to as the last
5 white city. I say to you, every black male in America is
6 a Rodney King. Every black male in Knoxville is a Rodney
7 King. Every police department is an L.A.P.D. And
8 Knoxville is included. Racism. Can we continue to
9 afford it? Thank you.

10 CHAIRPERSON NEUMAN: Thank you, Ms.
11 Mitchell. If I can ask you to stay with us for just a
12 few minutes more, I'm going to ask Ms. Moore to take her
13 statement, and we'll take questions from the committee
14 members. I would rather cut us off than can you all off.
15 (Gloria Moore, J.D., Representative, Knoxville
16 Interdenominational Christian Ministerial Alliance)

17 GLORIA MOORE: My name is Gloria
18 Moore, and I represent the Knoxville Interdenominational
19 Christian Ministerial Alliance. I tend to wear a couple
20 of hats, I suspect. I'm a member of the clergy and I'm
21 also a member of the Bar; I'm an attorney here in
22 Knoxville, and I certainly won't take a lot of time. I
23 can say this in all brevity.

24 I wanted to say to the Chief of
25 Police, he made a little illustration, and I just can't

1 let it pass, about how attorneys would be in the back
2 room and observe something and could have made a
3 citizen's arrest. But I would like to say police
4 officers can be in the back room participating in the
5 crime, and don't have to make a citizen's arrest, and
6 don't arrest anybody.

7 But for the racial tension in this
8 city I think we need to understand, he has the heart but
9 the situation for the police and the black community is
10 that in this city, if you drive a nice car, have some
11 money in your pocket, you're presumed, if you are a black
12 male, to be a dope dealer, and that's ridiculous. I have
13 a situation that impacted my son, who drives a nice
14 sports car, he had money in his pocket, he has a nice
15 job. But he was stopped simply because he drove a nice
16 sports car and was going down the street. And they
17 stopped him, not for a traffic violation, but to say to
18 him, "What are you doing with this car? I guess you're
19 dealing your dope". And he said, "No". And then they
20 said, "Well, we want to search you. What do you have?"
21 And upon searching my son, he had seven hundred and fifty
22 dollars, and they said, "A nigger couldn't have seven
23 hundred and fifty dollars unless he's dealing drugs".

24 My son proceeded to take his wallet
25 and show him that he had the pay stub from where he

1 worked that indicated he would have that much money in
2 his pocket, and that meant nothing to them.

3 We, as the Ministerial Alliance, met
4 with the Mayor and the Chief of Police, not only for the
5 incident of my son. My son was fortunate in that he had
6 a mother who was an attorney, and the City gave all of
7 these apologies for the treatment that they gave to my
8 son simply because I am an attorney. And I was able, out
9 of a professional relationship to talk with a
10 distinguished criminal attorney in this city who went
11 there and they were just backing up and apologizing, you
12 just -- that did not make me feel good simply because I
13 am a member of the Bar and had some connections, because
14 I thought what about my sisters and brothers where their
15 mothers are not attorneys? And what happens to them
16 because they can drive nice cars and have money in their
17 pockets, and we don't all live in the ghetto.

18 And so, I think we need to understand
19 that we do have a racial climate here that for the
20 professional people in the city, we need to understand we
21 are not exempt. The only problem that they stopped my
22 son for was because of the color of his skin and the car
23 that he drove, and implying he should not have that much
24 money in his pocket. And I say that if I decide to drive
25 a Mercedes Benz through the community -- and I do have

1 some other things, but I worked for them -- that they
2 could imply, simply because of my blackness, that either
3 I'm a hooker or I'm something, and I'm a member of the
4 clergy and of the Bar in this city.

5 And so, I just want to share with this
6 Commission, we have a problem, whereby, I look at it like
7 this. There's a problem with the police department
8 because any time, whatever evaluations they are having
9 for their communities and whatever, I say you have a
10 problem when you put the fox in the hen house and ask him
11 to guard the chickens. And so, I think that that is a
12 problem with the police department and this community.
13 When you put people in there who are looking to have a
14 club that you can handcuff somebody and call them a
15 nigger or a boy simply because the badge of the uniform
16 that you wear, you're not going to have a community that
17 is receptive to you to tell you to come in and guard us
18 when you are the brutes who come in and invade us and
19 whip us.

20 So, I think that until the community
21 and the police join hands with each other to say that we
22 want to clean up crime everywhere -- but somehow,
23 Knoxville has to understand, they do dope on Kingston
24 Pike. they do drugs at U.T. You don't have to come to
25 K.C. all the time looking for drugs. You don't have to

1 come to the project looking for the dope dealer. Go down
2 there in Sequoyah Hills and you'll find a lot of them
3 down there with the money that they make, they got it off
4 of drugs and the blood of the Community in which they say
5 they've come to help.

6 Thank you.

7 CHAIRPERSON NEUMAN: Thank you. Let's
8 take questions for both Ms. Mitchell and Ms. Moore. Tom?

9 MR. TABOR: Thank you, Madame
10 Chairman. I have a question I would like to direct to
11 Ms. -- either Ms. Mitchell or Attorney Moore, is that
12 correct?

13 MS. MOORE: Yes.

14 MR. TABOR: Or Reverend?

15 MS. MOORE: Anyone.

16 MS. WURZBURG: I have got two clients
17 for you.

18 MR. TABOR: Much of the discussion
19 that I have heard this day has focused on the
20 desegregation plan that is affecting the school system,
21 and I assume Knox County went to a unified system, is
22 that correct?

23 MS. MOORE: Yes.

24 MR. TABOR: Was there not any black
25 input in the structure of this plan?

1 MS. MITCHELL: As far as I know, there
2 were a couple -- is that right, Denny? How many?

3 MR. LITTLEJOHN: There was one black
4 on the school board, if that is the question. But that
5 didn't make it black input, if you get the drift.

6 MR. TABOR: Well, my question is going
7 to the heart of the problem, and let me ask one other
8 question and then I will get to -- maybe that will lead
9 us to where I'm trying to go. This particular plan was
10 not a result of a suit initiated by the community or some
11 group within the community to desegregate the schools?

12 MS. MITCHELL: Yes, by the NAACP.

13 MR. LITTLEJOHN: Not a suit, a
14 complaint.

15 MS. MITCHELL: A complaint.

16 MR. TABOR: Which ended up in Federal
17 Court?

18 MS. MITCHELL: No, with the Office of
19 Civil Rights.

20 MR. TABOR: The plan that -- yes,
21 ma'am?

22 MS. MOORE: Let me respond as an
23 attorney to that.

24 MR. TABOR: Reverend/Lawyer.

25 MS. MOORE: I think that what

1 initially happened was the NAACP filed a complaint, but
2 it had nothing to do with the students and school. It
3 was how the staffing was appropriated, where you were in
4 terms of promoting the black staff within the school
5 system, not having the promotions that they ought to be,
6 and in those visible administrative positions. It had
7 nothing to do with if you were going to close up a
8 school. I just saw it as the County took it as an
9 opportunity to get rid at inner city schools, and that is
10 what they did. It did not -- to be in compliance, the
11 OCR never told them, well, go out here and close up all
12 the city schools and send them all to county somewhere.
13 That was never the complaint in the first time place, but
14 that was an opportunity for the county, who took a school
15 system and said, yeah, let's just shut down. Their whole
16 plan shuts down all inner city schools.

17 MR. TABOR: There was no oversight of
18 this plan by either the Justice Department or Civil
19 Rights Commission or whomever --

20 MR. KNIGHT: I think this involved the
21 U.S. Department of Education Office of Civil Rights. Is
22 that correct?

23 MS. MOORE: Yes.

24 MR. LITTLEJOHN: The NAACP filed a
25 complaint. OCR sent a letter of finding. What the

1 county was doing was allowing white students who live in
2 a black area to transfer out administratively, and to
3 allow black students, who live outside of the area, in.
4 They said you have to stop changing policy on that.

5 The other one, they were basically
6 placing black teachers in traditional black schools, and
7 they said you need to stop doing that. And that was what
8 -- the only two things they found them of, and then they
9 came up with their own volunteer plan. It hasn't gotten
10 to the Justice Department or anything like that. It's a
11 volunteer plan by this county.

12 MR. TABOR: That was initiated by the
13 county?

14 MS. MOORE: Right.

15 MR. TABOR: Was not this plan -- did
16 this plan need any approval from the Federal Government?

17 MR. LITTLEJOHN: It got approval from
18 Atlanta Regional Office, OCR office, Archie Myers being
19 the head person there now. And this is okay.

20 MR. TABOR: Over the objections of the
21 black community here?

22 MR. LITTLEJOHN: The black community
23 is mixed on this, to be honest with you, but the majority
24 of us say, yes, over our objection.

25 MR. TABOR: I guess my question

1 basically is -- and I guess you have answered it -- is
2 trying to understand if it is a plan that the black
3 community bought into, and if it was a plan that was a
4 result of action initiated by the black community. I'm
5 trying to understand how did the problem get out of
6 control?

7 MR. LITTLEJOHN: What NAACP said is
8 you are treating our students wrong. Our black kids who
9 M-and-M transfer out, they were not being allowed to
10 participate in graduation for one infraction. They were
11 given "F's" on tests. There was a series of things that
12 they said was wrong. They were not promoting, as they
13 indicated, blacks into administrative positions. And if
14 they were, they were still in a basically black
15 environmental. We had 93 schools in the county and there
16 were no black administrators out there in any of those
17 other schools, no black instructors. So, they were
18 simply saying, hey, you've got a problem here. We need
19 to do something about it; we need to desegregate the
20 schools. And the county would not do anything with that.
21 And so, they filed this complaint with OCR.

22 We never have bought into the plan
23 that they have developed. We have opposed the plan
24 totally, and we're asking now for some alternatives.

25 MR. TABOR: For relief?

1 MR. LITTLEJOHN: Yes.

2 MR. TABOR: Okay. Well, just going on
3 record, I must say to you, I've always been opposed to
4 bussing, and I must go on record here today to say to you
5 to resist with all the heart and nerves and sinews you
6 have. Do not send your children out into the suburbs and
7 allow them to abandon your communities. The values that
8 they need, they need to get in the inner city, and they
9 will lose that tie to the Community that they so
10 desperately need when you send them, bus them away from
11 their parents, away from their homes, away from their
12 neighbors, away from everything that is dear or should be
13 dear to them in their communities. It will generate, in
14 my opinion, problems that we're having in Memphis right
15 now.

16 MR. LITTLEJOHN: I would agree with
17 you, but there is a neo-conservative black presence here
18 as well who thinks that that's good for us to be with
19 whites in the suburbs, and that's part of the problem,
20 part of the tension that we have here.

21 MR. TABOR: Thank you, Madame
22 Chairman.

23 CHAIRPERSON NEUMAN: Let me interrupt
24 the questions one more time. I understand that Kelsey
25 Finch has walked into the room and would like to make a

1 statement for us. Mr. Finch, the hour is growing very
2 late, and many of us have to leave for the airport very
3 soon, so please keep that in mind.

4 MR. LITTLEJOHN: We'll give him thirty
5 seconds.

6 (Kelsey Finch, EEO Director,
7 City of Knoxville)

8 KELSEY FINCH: Thank you. Just --

9 CHAIRPERSON NEUMAN: Thank you very
10 much, Ms. Moore, thank you.

11 MR. FINCH: What I want to do is, very
12 briefly, give you a quick update on where the city is as
13 far as its minority employment is concerned. It is just
14 completed, and it's still in draft form. And as soon as
15 we get the typographical corrections made, I can send you
16 a copy, but we have just completed an update of our equal
17 employment policy. And, basically, to go over it very
18 quickly, what we have used in the City of Knoxville to
19 increase our minority employment, there are primarily two
20 tools that we have used. An expanded certification.

21 Expanded certification means that it
22 allows us to, if we have a position open, where with
23 normal Civil Service, you would take the, for example,
24 the top five, as Civil Service process demands, and it
25 also allows you to go down the list and pick up all the

1 minorities on the list. And then, you have the top five
2 that you can interview plus the minorities on the list
3 which gives you a greater -- a larger pool.

4 We have used that process, and we also
5 use the process of recruiting. And basically, that is
6 just beating the bushes to try to be able to find
7 minorities.

8 I heard -- I came in on the tail end,
9 but I did hear some talk about the Police Department, and
10 one of the things that's going to change our police
11 departments is when our police departments reflect more
12 the communities that they are in, as far as their make-up
13 is concerned. What we have been able to do in four
14 years, since the Mayor Victor Ashe has been in office, we
15 have been able to increase the minority employment of the
16 City of Knoxville from 6.3 to 9.3 over a four-year
17 period. Total number of employees, July 20, 1992, is
18 fourteen hundred and eighteen; total number of minority
19 employees, 131; total number of minority males, 100;
20 minority females, 31. And when I say minorities, as
21 relates to this particular report, it is -- it has to do
22 with African Americans.

23 We have some other minorities, and
24 they are listed as such, but for the purposes of this,
25 I'm giving you, basically, numbers of the African

1 American community.

2 One of the other things that we looked
3 at that we wanted to do, we wanted to try to look at
4 salary range and see if we could move our people up by
5 EEO category and salary range, and we have been able to
6 do that. And I will send you that additional
7 information.

8 Basically, that is the basis of the
9 information that I wanted to give you, and I'll make sure
10 that you get a copy of this report. We have been able
11 and very proud to be able to go from 6.3 percent of our
12 employees to about 9.3 percent of our employees. We feel
13 very good about that. Our greatest success has been
14 within the Fire Department. Our toughest nut to crack is
15 the Police Department. And I imagine that's so in every
16 city in America. And I think that that has a lot to do
17 with some of the problems that we have in our police
18 forces. They should more closely reflect the communities
19 that they serve. And so, that is one of the things that
20 we are working on. This has been our most successful
21 attempt.

22 With the Police Department, we have
23 about fourteen black males who are within a pool who we
24 expect to hire around thirty police officers this time.
25 We have about fourteen black males are in it at this

1 point. Usually at this point, we would be down to about
2 three or one or two. And so, the most we have ever hired
3 in the class, since I have been here, has been three.
4 So, I'm hopeful that this is a -- will be our
5 breakthrough class, and that we can do some good with
6 that.

7 But I will just leave you with that,
8 and I can get you this information. If there are any
9 questions, I'll be happy to address them.

10 CHAIRPERSON NEUMAN: Thank you very
11 much. Jim?

12 MR. BLUMSTEIN: I'm struck by your
13 comment that you think that the public employee and
14 racial composition should reflect the composition of the
15 community. My understanding was that the executive order
16 and all of the EEO initiative turns not on the question
17 of the composition of the community as compared to the
18 composition of the work force, but the composition of the
19 work force compared to the composition of the labor pool.

20 MR. FINCH: My comment was that the
21 composition of the police force should more closely
22 mirror the composition of the community, and I believe
23 that it has nothing to do with EEO law or whatever, but
24 if you are in a community, and you have a fight break
25 out, and there are 25 black kids fighting and 25 white

1 males show up, that is part of your problem. Now, you
2 have got another problem. See, you had a fight before
3 they got there, and now you have got two fights. So, my
4 comment goes only to the police force and police work.
5 That's been my observation in police work. That's not
6 true as far as -- and I wasn't trying to relate that to
7 the city as a whole; just in police work.

8 CHAIRPERSON NEUMAN: Tommy?

9 MR. TABOR: No.

10 CHAIRPERSON NEUMAN: Dale?

11 MR. SAWYER: No.

12 CHAIRPERSON NEUMAN: Jocelyn, did you
13 have any questions?

14 MS. WURZBURG: No, thank you. I was
15 going to go real quickly.

16 CHAIRPERSON NEUMAN: Does anyone have
17 anymore questions for Ms. Mitchell who has been kind
18 enough to stay in the room through this?

19 All Right. Thank you so very much for
20 your time. We know it's valuable, and we appreciate you
21 being here.

22 MR. FINCH: Thank you.

23 (WHEREUPON THE HEARING IS ADJOURNED.)

24

25

R E P O R T E R ' S C E R T I F I C A T E

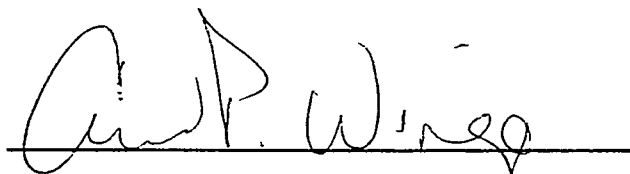
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2
3 STATE OF TENNESSEE:

4 COUNTY OF KNOX:

5 I, ANN P. WINGO, Court Reporter and
6 Notary Public at Large, do hereby certify that I reported
7 in machine shorthand the foregoing proceedings in the
8 above entitled cause, and that the foregoing pages,
9 numbered from 1 to 129, inclusive, were typed by me and
10 constitute a true record of the foregoing proceedings.

11 I further certify that I am not an
12 attorney or counsel of any of the parties, nor a relative
13 or employee of any attorney or counsel connected with the
14 action, and not financially interested in the action.

15 Witness my hand and seal this 20th
16 day of October, 1992.

17
18
19 

20 ANN P. WINGO, Court Reporter
21 and Notary Public at Large

22
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24 My Commission Expires: 8/29/95
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