

TENNESSEE DEPARTMENT OF COMMERCE P.O.S.T. COMMISSION MEETING

MEETING

November 15, 2019


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STATE OF TENNESSEE DEPARTMENT OF COMMERCE & INSURANCE
P.O.S.T. COMMISSION MEETING

Edgewater Hotel and Conference Center
402 River Road
Gatlinburg, Tennessee 37738
November 15, 2019
9:30 a.m. - 10:48 a.m.

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ATTENDING COMMISSIONERS:

- Commissioner Kim Birchfield
- Commissioner Brent Cherry
- Commissioner Mark Dunbar
- Commissioner Ray Farris
- Commissioner Ed Jackson
- Commissioner Chad Partin - Vice Chair
- Commissioner Lowell Russell
- Commissioner Tom Spangler - Chair
- Commissioner Bobby Waggoner
- Commissioner Brian Wright

Joseph Underwood, Chief Counsel, and Kim Cooper,
State of Tennessee Department of Commerce and
Insurance, Fire Prevention and Law Enforcement

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P R O C E E D I N G S

(WHEREUPON, the following proceedings
came to order:)

CHAIRMAN SPANGLER: Good morning, 09:28:31
everyone. Welcome, Commissioners. 09:28:33

Those of you that were here yesterday, thank 09:28:37
you for your time and attention. I know it was a 09:28:39
long afternoon, we appreciate your time, and things 09:28:43
went well, I hope. 09:28:47

We have a couple of things I think we have 09:28:48
finally gotten straightened out, so maybe things will 09:28:49
go a little bit smoother, or we'll make sure we pay a 09:28:52
little bit more attention to that. 09:28:56

Those of audience, too, if you will, when 09:28:58
your agency is called, if you will, when you come to 09:29:01
the lectern up here, if you will introduce yourself 09:29:03
for the commission and who you have with you and 09:29:04
where you are from. Obviously, I think I'll announce 09:29:06
where you are from, but if you will at least remind 09:29:09
us again when the time comes, we'll certainly 09:29:12
appreciate it. 09:29:14

Commissioners, if you would, look over the 09:29:15

1 agenda. If there's any changes that need to be made, 09:29:17
2 please let me know. If not, I'll entertain a motion 09:29:22
3 that we approve the agenda as written. 09:29:25
4 COMMISSIONER WRIGHT: I make a motion. 09:29:25
5 COMMISSIONER WAGGONER: Second. 09:29:46
6 CHAIRMAN SPANGLER: We have a motion from 09:29:46
7 Commissioner Wright and a second by Commissioner 09:29:47
8 Waggoner. Any further discussion? 09:29:51
9 All in favor say aye. 09:29:53
10 Opposed? 09:29:54
11 The ayes have it. 09:29:55
12 Any administrative matters that need to 09:29:56
13 be covered right now? 09:29:58
14 DIRECTOR GRISHAM: No, Mr. Chairman. 09:30:04
15 CHAIRMAN SPANGLER: Commissioners, I'll 09:30:06
16 ask you to -- I know our court reporter has a little 09:30:08
17 bit of time with the things in her ears that she 09:30:12
18 needs us to speak up, so if you will speak up so that 09:30:14
19 she can hear you as well. We'll do roll call. 09:30:16
20 DIRECTOR GRISHAM: Commissioner Bello is 09:30:21
21 absent. 09:30:24
22 Commissioner Birchfield. 09:30:25
23 COMMISSIONER BIRCHFIELD: Here. 09:30:27
24 DIRECTOR GRISHAM: Mr. Cherry. 09:30:28
25 COMMISSIONER CHERRY: Here. 09:30:29

1	DIRECTOR GRISHAM: Mr. Dunbar.	09:30:29
2	COMMISSIONER DUNBAR: Here.	09:30:30
3	DIRECTOR GRISHAM: Mr. Farris.	09:30:31
4	COMMISSIONER FARRIS: Here.	09:30:33
5	DIRECTOR GRISHAM: Commissioner Faulkner	09:30:33
6	is absent.	09:30:36
7	Mr. Forrester.	09:30:37
8	Mr. Hulsey is absent.	09:30:40
9	Mr. Jackson.	09:30:44
10	COMMISSIONER JACKSON: Here.	09:30:46
11	DIRECTOR GRISHAM: Mr. Russell.	09:30:47
12	COMMISSIONER RUSSELL: Here.	09:30:48
13	DIRECTOR GRISHAM: Mr. Waggoner.	09:30:48
14	COMMISSIONER WAGGONER: Here.	09:30:50
15	DIRECTOR GRISHAM: Mr. Wright.	09:30:51
16	COMMISSIONER WRIGHT: Here.	09:30:53
17	DIRECTOR GRISHAM: Chairman Spangler.	09:30:55
18	COMMISSIONER SPANGLER: Here.	09:30:57
19	DIRECTOR GRISHAM: Mr. Partin.	09:30:58
20	VICE CHAIRMAN PARTIN: Here.	09:30:59
21	DIRECTOR GRISHAM: Mr. Cherry, you have a	09:31:00
22	quorum.	09:31:02
23	CHAIRMAN SPANGLER: Thank you.	09:31:03
24	At this time I'm going to ask the	09:31:04
25	Commissioner Partin if he'll read our disclaimer,	09:31:10

1 please. 09:31:12

2 COMMISSIONER PARTIN: All P.O.S.T. 09:31:13
3 commissioners have previously agreed to recuse 09:31:13
4 themselves from any vote that would constitute a 09:31:15
5 conflict of interest. The most obvious of these 09:31:18
6 would include issues that involve our own departments 09:31:21
7 or someone we know personally, because we have 09:31:24
8 already agreed to this. 09:31:26

9 It should be noted that on routine 09:31:28
10 matters it will be assumed nonverbally that these 09:31:29
11 commissioners have abstained from the vote and bigger 09:31:32
12 more controversial issues that may have a more overt 09:31:34
13 conflict of interest and may have an appearance of 09:31:38
14 impropriety, that those applicable commissioners will 09:31:41
15 still verbally abstain from these votes -- or those 09:31:44
16 votes. 09:31:47

17 CHAIRMAN SPANGLER: Thank you, 09:31:49
18 Commissioner. 09:31:50

19 We don't have any minutes from the last 09:31:51
20 month, or at least we haven't had them out to us, 09:31:53
21 right? 09:31:56

22 MS. GORDON: I emailed those out. 09:32:02

23 COMMISSIONER SPANGLER: Were they 09:32:02
24 emailed? Maybe I just didn't see them then. 09:32:03

25 MS. GORDON: They were attached to the 09:32:03

1 agenda. 09:32:05

2 COMMISSIONER WRIGHT: I'll make a motion 09:32:06

3 to approve them. 09:32:08

4 COMMISSIONER WAGGONER: Second. 09:32:09

5 CHAIRMAN SPANGLER: We have a motion by 09:32:09

6 Commissioner Wright and a second by Commissioner 09:32:10

7 Waggoner. 09:32:12

8 Any further discussion? 09:32:12

9 All in favor, say aye. 09:32:12

10 Opposed? 09:32:14

11 The ayes have it. Thank you-all. 09:32:15

12 Decertification hearings held this month. 09:32:20

13 DIRECTOR GRISHAM: None, Mr. Chair. 09:32:23

14 CHAIRMAN SPANGLER: Thank you. 09:32:24

15 Appearing before the commission is 09:32:28

16 preemployment requirements. Greene County Sheriff's 09:32:30

17 Office are requesting a military waiver for James A. 09:32:33

18 Crum. Mr. Crum was discharged from the military 09:32:37

19 under honorable conditions, and will require a 09:32:40

20 military waiver. 09:32:43

21 Is Greene County here? 09:32:44

22 THE WITNESS: Yes, sir. 09:32:46

23 CHAIRMAN SPANGLER: Welcome, gentlemen. 09:32:51

24 CHIEF DEPUTY BEVERLY: My name is David 09:32:53

25 Beverly. I'm the chief deputy for the Greene County 09:32:55

1 Sheriff's Department, I'm here with James Crum. 09:32:58

2 He's worked at our detention center for 09:33:00

3 just over two years. He has tested, the written 09:33:02

4 test, also the physical test, and interviewed for the 09:33:08

5 patrol division, and I'm here today to ask for the 09:33:10

6 waiver in reference to the military discharge. 09:33:13

7 CHAIRMAN SPANGLER: His military 09:33:20

8 discharge is honorable? 09:33:21

9 CHIEF DEPUTY BEVERLY: His military 09:33:23

10 discharge, it was honorable, but if you will give me 09:33:24

11 just a second, please. 09:33:28

12 COMMISSIONER CHERRY: If I could 09:33:31

13 interject here, I'm just looking at his discharge 09:33:32

14 paperwork. This is what they call a general 09:33:36

15 discharge under honorable conditions, it's an 09:33:39

16 administrative discharge, less than honorable, but 09:33:39

17 still under honorable conditions, so it's like in the 09:33:43

18 second tier of administrative separation, honorable, 09:33:46

19 general under honorable conditions, and then general 09:33:49

20 under other than honorable conditions. So this is 09:33:52

21 one we can do a waiver for, but it's a little less 09:33:56

22 than straight honorable. 09:33:59

23 CHAIRMAN SPANGLER: Which could be an 09:34:01

24 injury or something like that? 09:34:02

25 COMMISSIONER CHERRY: Well, I'm sure 09:34:04

1 Mr. Crum will give us an explanation here. The 09:34:05
2 characterization -- or, rather the style of the 09:34:11
3 separation here indicates that the reason is for a 09:34:12
4 condition, not a disability. 09:34:15

5 And I'm sure Mr. Crum will be able to 09:34:18
6 explain to us about that. 09:34:20

7 MR. CRUM: Yes, sir. Basically, I spent 09:34:24
8 about two years or so in the security forces, it was 09:34:29
9 a noncombat sort of role. After I did two years of 09:34:32
10 doing that, I was sent to an infantry unit in 09:34:38
11 California. 09:34:43

12 I was an E-4 when I got there, so they 09:34:45
13 made me a platoon -- they put me basically over 09:34:49
14 platoon when I had got there. No combat experience, 09:34:53
15 and the stress was a lot for me, asking me to be over 09:34:58
16 the platoon, the Marines. Most of them combat 09:35:05
17 veterans themselves. 09:35:09

18 CHAIRMAN SPANGLER: Any questions from 09:35:16
19 any of the commissioners? 09:35:18

20 COMMISSIONER CHERRY: Mr. Crum, I'd like 09:35:18
21 to ask you a couple questions. I've got a Marine 09:35:20
22 Corps background myself, I was a Marine Corps lawyer 09:35:22
23 for a long time. 09:35:22

24 Did they give you an opportunity to 09:35:25
25 consult with a lawyer before you separated? 09:35:27

1 MR. CRUM: A lawyer? 09:35:29

2 COMMISSIONER CHERRY: Yes. 09:35:31

3 MR. CRUM: No, sir. 09:35:32

4 COMMISSIONER CHERRY: Typically, if it's 09:35:34

5 going to be a negative style of discharge, you would 09:35:36

6 have been given an opportunity, and perhaps even a 09:35:38

7 board, to determine the characterization of your 09:35:41

8 service. Because they offered you a general 09:35:44

9 discharge, it's not considered negative, but you 09:35:46

10 understood it's not as good as an honorable 09:35:49

11 discharge -- 09:35:51

12 MR. CRUM: Right. 09:35:52

13 COMMISSIONER CHERRY: -- discharge, 09:35:53

14 right? 09:35:53

15 And I'm just looking at your record, at 09:35:53

16 least based on the little bit we have here, it looks 09:35:55

17 like you did a fine job in the Marine Corps. You had 09:35:57

18 your good conduct medal, you advanced to the rank of 09:36:00

19 corporal in pretty good time. 09:36:03

20 MR. CRUM: Yes, sir. 09:36:05

21 COMMISSIONER CHERRY: Your total time was 09:36:06

22 just a little bit less than three and a half years; 09:36:08

23 is that accurate? 09:36:10

24 MR. CRUM: Three years and five months, 09:36:11

25 or something like that. 09:36:13

1 COMMISSIONER CHERRY: Yeah, almost three 09:36:14
2 and a half years, roughly. 09:36:15
3 And I guess my only concern is for you. 09:36:16
4 This seems that, based on your service, you should 09:36:20
5 have gotten an honorable discharge. Even though you 09:36:23
6 had some issues, your service appears to have been 09:36:27
7 honorable. 09:36:30
8 Is there anything I'm missing in here, 09:36:31
9 anything else that happened? Did you have any 09:36:33
10 disciplinary issues in the Marine Corps? 09:36:35
11 MR. CRUM: Disciplinary, well, this is 09:36:38
12 before I had even got to that infantry, but there was 09:36:40
13 a couple of page 11s. 09:36:43
14 COMMISSIONER CHERRY: So counseling, 09:36:47
15 basically. 09:36:47
16 MR. CRUM: Yeah. Basically, yeah. 09:36:48
17 COMMISSIONER CHERRY: For the civilians 09:36:50
18 to understand it, that would be like counseling 09:36:52
19 entries into your record. 09:36:54
20 MR. CRUM: Right. 09:36:54
21 COMMISSIONER CHERRY: We talked to you 09:36:55
22 about your boots weren't shiny enough or you showed 09:36:57
23 up late to formation one day or something pretty 09:37:00
24 minor like that, right? 09:37:02
25 MR. CRUM: Right. Yes, sir. 09:37:02

1 COMMISSIONER CHERRY: But you didn't have 09:37:03
2 any, like, nonjudicial punishment or courts or 09:37:04
3 anything like that? 09:37:07
4 MR. CRUM: No, sir. 09:37:09
5 COMMISSIONER CHERRY: I see. Those are 09:37:09
6 all of the questions I have. 09:37:10
7 And I would make a motion to grant the 09:37:11
8 waiver. 09:37:12
9 COMMISSIONER JACKSON: Second. 09:37:17
10 CHAIRMAN SPANGLER: We have a motion on 09:37:19
11 the floor to approve by Commissioner Cherry, and 09:37:21
12 second by Commissioner Jackson. Is there any further 09:37:25
13 discussion? 09:37:28
14 All in favor, say aye. 09:37:29
15 Opposed? 09:37:31
16 The ayes have it. 09:37:32
17 Thank you, gentlemen. 09:37:34
18 CHIEF DEPUTY BEVERLY: Thank you, sir. 09:37:36
19 Thank you, ladies and gentlemen. 09:37:38
20 CHAIRMAN SPANGLER: Oak Ridge Police 09:37:39
21 Department. They request a late submission waiver 09:37:42
22 for Robert L. Hubbs. Mr. Hubbs was hired by this 09:37:44
23 agency on April 8, 2019. This agency failed to 09:37:47
24 submit Mr. Hubbs' preemployment paperwork to P.O.S.T. 09:37:51
25 until October 23, 2019. 09:37:54

1 Is Oak Ridge here? Is there an objection 09:37:58
2 to put it towards the end and check with them later? 09:38:07
3 COMMISSIONER BIRCHFIELD: I make a motion 09:38:11
4 we do that. 09:38:11
5 UNIDENTIFIED SPEAKER: Second. 09:38:15
6 CHAIRMAN SPANGLER: A motion with a 09:38:15
7 second to put it towards the end of the agenda. 09:38:16
8 All in favor, say aye. 09:38:18
9 Opposed? 09:38:20
10 The ayes have it. Thank you. 09:38:20
11 Roane County Sheriff's Office requests a 09:38:21
12 waiver for Gregory L. Scalf. Mr. Scalf was charged 09:38:23
13 with a DUI on November 17, 2017, in Knox County. 09:38:26
14 Mr. Scalf pled guilty to DUI first 09:38:31
15 offense charge and has satisfied all fines and court 09:38:33
16 costs in this matter. Mr. Scalf has an unrestricted 09:38:37
17 driver's license. 09:38:40
18 Roane County. 09:38:43
19 UNIDENTIFIED SPEAKER: I'm going to go 09:38:58
20 ahead and introduce all of the speakers, and then 09:38:58
21 I'll start. 09:38:58
22 First of all, we have Greg Scalf. Our 09:38:58
23 attorney general, elected attorney general, Chief 09:39:03
24 Phillips. Myself. Jack Stockton. And Lieutenant 09:39:06
25 Anderson and Chris from the Child Advocacy Center, 09:39:10

1 and Mr. Scalf's pastor from the Baptist Church. 09:39:12

2 MR. JOHNSON: They have asked me to go 09:39:20
3 first, Chair members. I'm Russell Johnson. I'm the 09:39:21
4 elected district attorney for the 9th District, I 09:39:22
5 have been so since 2006. I have Loudoun, Roane, 09:39:25
6 Morgan and Meigs Counties. 09:39:29

7 I'm here to speak on behalf of Greg. And 09:39:31
8 I told him I was going to call him up anyway, but we 09:39:34
9 have already done that, and just kind of to help me 09:39:37
10 through this process and make sure that everything I 09:39:41
11 say is accurate and truthful. 09:39:43

12 I've known Greg since 2006. Before that, 09:39:44
13 when I didn't know him, he was in the Army as a 09:39:49
14 paratrooper, six years in the military, some of that 09:39:52
15 in the National Guard. 09:39:56

16 He returns to Roane County and works for 09:39:57
17 then Chief Jack Stockton at the Harriman Police 09:40:01
18 Department. He worked his way up through the ranks, 09:40:05
19 started as a road officer. And then Jack Stockton 09:40:07
20 finally came to his senses and realized what he had 09:40:10
21 on his hands. 09:40:13

22 This is a very smart individual. He's 09:40:14
23 hard working. He's dedicated. He has the skills to 09:40:17
24 be a detective, and that's what he's been since that 09:40:21
25 time several years after he started working with the 09:40:24

1 Harriman PD. 09:40:27

2 Jack Stockton was elected sheriff in 2006 09:40:29
3 when I was elected district attorney, and that's when 09:40:31
4 I came to know Greg. Greg came to the office of the 09:40:34
5 sheriff's office as a detective, and started working 09:40:38
6 with us. 09:40:41

7 We organized, along with the Child 09:40:42
8 Advocacy Center and Ms. Evans-Longmire and the 09:40:45
9 Department of Children's Services, those of you that 09:40:47
10 are in law enforcement, a Child Protective 09:40:50
11 Investigative Team. A specific team working closely 09:40:53
12 with the CAC and the DCS with all four counties. 09:40:55

13 And that team -- of course, Greg could 09:40:58
14 only work Roane County, but he was a detective, and 09:41:01
15 he took on the role of investigating child sex abuse 09:41:03
16 cases, child abuse cases, as a passion. 09:41:07

17 And he has exhibited the intellect, 09:41:10
18 skill, work ethic and the dogged determination to 09:41:15
19 solve those cases that he did with any other type of 09:41:18
20 case, but really his heart and soul is in these type 09:41:20
21 of cases. 09:41:22

22 And we found very few detectives that 09:41:23
23 even want to deal with that. There are very special 09:41:27
24 circumstances. You are dealing with victims that 09:41:31
25 require a special sort of handling, a special sort of 09:41:32

1 compassion and ability to communicate and cooperate 09:41:36
2 with the CAC as they are doing their forensic 09:41:39
3 interviews, to know what to ask and how to deal with 09:41:43
4 the evidence once you get it. 09:41:46

5 The most important thing is dealing with 09:41:47
6 the perpetrators of these horrible crimes. Some of 09:41:48
7 them are highly intellectual, some of them are on 09:41:52
8 different spectrums of intellectual ability, but also 09:41:55
9 have, you know, obvious weird turn or quirk to them, 09:41:59
10 and this man has a special ability to work with those 09:42:04
11 type of cases; to get confessions that mean that we 09:42:08
12 don't have to put that child victim on the stand. If 09:42:12
13 we have confessions, we can get convictions, as you 09:42:15
14 imagine, much more quickly, and Greg was always great 09:42:20
15 at doing that. 09:42:23

16 Because of his work -- Clifford [sic] and 09:42:25
17 Amanda Dotson, who over a period of almost a year 09:42:28
18 starved their 17-month-old son, Clifford, to death, 09:42:32
19 those two people are now serving life sentences. 09:42:35

20 Even though he hasn't been operating as a 09:42:39
21 detective for almost the last two years, he still has 09:42:41
22 come back to court and helped us with motion hearings 09:42:45
23 and to appear at trial. 09:42:48

24 Just three weeks ago, a two-day jury 09:42:49
25 trial with Eric Brownlow, who was charged with three 09:42:52

1 counts of child rape, Greg was sitting at the table 09:42:55
2 with us as the prosecutor. And because of Greg's 09:42:58
3 work, Mr. Brownlow now is facing a sentencing hearing 09:43:02
4 of anywhere from 40 to 120 years. 09:43:06

5 So he's the one person in the district 09:43:08
6 I've not -- there's no one else -- there are other 09:43:12
7 good detectives, don't get me wrong, but at this part 09:43:14
8 of the work, he's the best, even surrounding 09:43:17
9 detectives around us. 09:43:20

10 He is vital to the sheriff's department, 09:43:21
11 not just in these cases, but other cases. He brings 09:43:24
12 a certain set of skills that I've not seen in the 13 09:43:27
13 some years that I've been district attorney. 09:43:32

14 Even if it weren't for that, even if you 09:43:36
15 had him back as a road officer, as any other kind of 09:43:38
16 investigator or administrator, Greg would be 09:43:44
17 important. 09:43:46

18 Public service is his life. He could 09:43:48
19 make more money, and probably is making more money 09:43:51
20 doing what he's doing now in the private sector than 09:43:54
21 he would coming back to the sheriff's office, but he 09:43:57
22 wants to come back, and that's why he's here today 09:44:00
23 with these people standing behind him. 09:44:03

24 He's human, he did make a mistake, but he 09:44:04
25 made a mistake that could be overcome. And he's 09:44:07

1 already come to grips with that. He's doing this on 09:44:09
2 a daily basis. He has gone to the right sort of 09:44:13
3 people, one of them who is here is his minister, to 09:44:18
4 help walk him through this, to talk to him about not 09:44:22
5 holding the emotion and stress of the job that every 09:44:25
6 officer faces, but especially someone doing these 09:44:29
7 types of cases on a daily basis faces. 09:44:32

8 You know, he doesn't want to bring it 09:44:35
9 home and unload it on his wife or his son, and it 09:44:37
10 came to a head for him. He and I have talked about 09:44:39
11 this. 09:44:42

12 For those of us that have children, you 09:44:43
13 know, to sit and tell your son, hey, daddy made a 09:44:45
14 mistake, but I'm going to get beyond it, I'm going to 09:44:49
15 make you proud of me. 09:44:51

16 And this is part of -- you had that -- 09:44:53
17 that's the way you explained it to me, right, to sit 09:44:57
18 and talk to him. And that had to be something 09:44:59
19 difficult for you to do, but he handled it, I'm sure, 09:45:01
20 like a man. 09:45:05

21 MR. SCALF: He did. 09:45:06

22 MR. JOHNSON: Like you taught him to, and 09:45:06
23 you talked to your wife about it. 09:45:09

24 He deserves a second chance to do what he 09:45:11
25 was meant to do. Jack Stockton in the Roane County 09:45:13

1 Sheriff's Department needs him. My office and I need 09:45:16
2 him. But more importantly, the people of Roane 09:45:18
3 County need him back. 09:45:21

4 I ask you to consider deliberately and 09:45:22
5 recertify him to return to work. Thank you for your 09:45:26
6 attention. 09:45:30

7 SHERIFF STOCKTON: My name is Jack 09:45:35
8 Stockton. Back in 2002 I hired Mr. Scalf to come to 09:45:36
9 work for the Harriman Police Department as a patrol 09:45:42
10 officer. During his first year of service, he was 09:45:45
11 exemplar in his work. Never missed work, he was 09:45:50
12 dedicated. 09:45:53

13 I got to know Greg on a personal level. 09:45:54
14 He's a good family man. He was respected throughout 09:45:57
15 the community. He gave his all to his job and to his 09:46:00
16 family. And that was his life, his service to the 09:46:03
17 public and the citizens of Harriman. 09:46:07

18 I was elected in 2006 to the sheriff's 09:46:11
19 office, I've been there ever since. And in my 36 09:46:16
20 years of service, I have never met a more productive 09:46:19
21 detective. 09:46:21

22 He learns fast. He's very intelligent, 09:46:23
23 like the attorney general said. He's one of the 09:46:25
24 biggest assets that we have in law enforcement today. 09:46:28

25 He did a terrible thing, made a bad 09:46:34

1 mistake, a bad choice. Sometimes I feel like it was 09:46:37
2 my fault because of the pressures of the job that I 09:46:40
3 instilled upon him, and the sexual cases he was 09:46:42
4 dealing with, which is no excuse for his actions. 09:46:45

5 But he accepted the responsibility of his 09:46:47
6 actions like a man should. He came in and resigned 09:46:50
7 in less than a week after the incident. He said it's 09:46:54
8 the right thing to do for your office, for law 09:46:58
9 enforcement as a whole, and I will accept my 09:47:01
10 punishment. He took a plea, pled guilty to the DUI 09:47:04
11 charge. I think he's paid his debt to society. 09:47:07

12 But Greg is one of those kind of people 09:47:12
13 that can overcome and adapt, and I think he has 09:47:14
14 overcome, and he realizes that it was a mistake that 09:47:18
15 will never happen again. And it's been a burden on 09:47:22
16 him and his family, his spiritual life, and it has 09:47:25
17 humbled him and made him a better man. 09:47:29

18 And I really, truly believe, in my 36 09:47:32
19 years, if anyone deserved an opportunity to get back 09:47:34
20 in this field and profession, it would be Greg Scalf. 09:47:39
21 And I wouldn't say that about anyone else that I know 09:47:41
22 probably in this room, no disrespect. 09:47:44

23 But if you would consider him, the 09:47:49
24 sheriff's office needs him. I have held this 09:47:50
25 position, and hope and pray that he will get to come 09:47:53

1 back. His office is still intact with the door 09:47:56
2 locked with all of his personal items in there. 09:47:59

3 And that in itself tells everyone there 09:48:02
4 that we regard him highly and he is detrimental [sic] 09:48:06
5 to us in his service to us. Thank you. 09:48:12

6 CHIEF DEPUTY PHILLIPS: I'd like to say a 09:48:17
7 few words, I'm Chief Deputy Tim Phillips. I've 09:48:19
8 worked for the sheriff going on 21 years. I came 09:48:21
9 from the police department there in Harriman with the 09:48:24
10 sheriff when he got elected. And when Greg came to 09:48:27
11 the police department, we hired him, put him through 09:48:29
12 the academy. 09:48:31

13 Some of the things that the people have 09:48:32
14 talked about, one of the other specialties that Greg 09:48:34
15 has, being from a small county, we have very few 09:48:37
16 people to choose from, and Greg is one of our only 09:48:42
17 negotiators. 09:48:46

18 And the times that we've had issues and 09:48:47
19 stand-offs and things like that, in knowing that we 09:48:49
20 have Greg there to call to come in and talk to these 09:48:52
21 folks in, you know, whatever situation we are dealing 09:48:55
22 with, it was pretty awesome. 09:48:58

23 Since Greg has been gone, those 09:49:02
24 situations don't stop. And it is so tough for us as 09:49:04
25 a small sheriff's office -- you know, just because a 09:49:09

1 person wants to be a hostage negotiator or crisis 09:49:13
2 negotiator, doesn't mean they have the skills. 09:49:18

3 Greg Scalf has those skills. And one 09:49:19
4 particular incident that Greg dealt with that sits 09:49:20
5 heavy on me, and I've actually traveled to a few 09:49:23
6 different places and spoke on this particular 09:49:26
7 incident, where Greg talked a police officer that had 09:49:28
8 been into an incident that had shot his wife, and the 09:49:33
9 police officer was held up in the house and was 09:49:37
10 suicidal and homicidal -- and, you know, I play the 09:49:40
11 radio recording at the conferences that I speak at, 09:49:46
12 and having Greg -- knowing that he's on his way to 09:49:48
13 come and do what he does, is a great skill. 09:49:51

14 And he talked that officer out of that 09:49:56
15 house. And that officer now is in recovery, he works 09:49:57
16 at a rehabilitative place for men. So that officer 09:50:03
17 had a chance to change his life and get his life 09:50:07
18 turned around. 09:50:09

19 And I was called by the Baltimore County 09:50:11
20 Police and the FBI back in January of this past year, 09:50:14
21 and they wanted me to come and speak, because it was 09:50:19
22 kind of unique that we had a police officer 09:50:21
23 negotiating with a police officer. 09:50:24

24 And I said, hey, have you ever thought 09:50:26
25 about having the person that we negotiated with show 09:50:28

1 up and get to get their perspective of things? They 09:50:31
2 are like, well, do you think he would do it? 09:50:34

3 Absolutely, he done that. 09:50:36

4 And I attribute that to what Greg Scalf 09:50:37
5 did. If Greg hadn't talked him out of there, either 09:50:41
6 that guy would have killed himself or he would have 09:50:43
7 forced one of us to kill him. 09:50:46

8 We would love to have him back. We know 09:50:48
9 that you guys have a lot of tough decisions to make, 09:50:50
10 and at the end of the day, if you guys find it in 09:50:55
11 your hearts to allow this guy to come back to work, 09:50:57
12 he's going to be put to use. Thank you. 09:51:00

13 LIEUTENANT ANDERSON: I'm Lieutenant 09:51:05
14 Robert Anderson, the general departmental instructor 09:51:08
15 for the sheriff's office. I've been in it for 30 09:51:12
16 years, I've been the general departmental instructor 09:51:13
17 for about 25 years. I have seen a lot of people come 09:51:15
18 and go from our agency. 09:51:17

19 I have never seen a void left like when 09:51:19
20 Greg had to leave, and I'd just ask for you-all's 09:51:22
21 consideration. He's a good detective. We have got 09:51:25
22 some great detectives, but the void he's left, we 09:51:28
23 need it filled. Thank you. 09:51:31

24 MS. EVANS-LONGMIRE: I'm Chris 09:51:37
25 Evans-Longmire, the executive director for the Child 09:51:42

1 Advocacy Center. 09:51:45

2 I've got a couple of things I'm going to 09:51:46
3 read to you, because these are words that have been 09:51:49
4 shared with me from specific members. 09:51:51

5 As our Attorney General Johnson shared 09:51:54
6 with you guys what the Child Protective Investigative 09:51:56
7 Team means, and that is a group of multi-disciplinary 09:52:00
8 folks that have been tasked, per our TCA code, with 09:52:03
9 investigating child sexual abuse crimes. 09:52:07

10 I have worked with Greg, who came on 09:52:09
11 board as a detective for Roane County Sheriff's 09:52:11
12 Office, for the past 13 years, until the exit in 09:52:15
13 2017. 09:52:18

14 I can tell you that these cases are not 09:52:19
15 enjoyed by law enforcement, they are not enjoyed by 09:52:22
16 anybody. But when you are tasked with the statement 09:52:25
17 of a seven-year-old who says that this person, my 09:52:29
18 dad, hurt me, and he hurt me on my too-too, and 09:52:34
19 nobody knows and no one saw it, and you have to build 09:52:39
20 a case on her telling you what happened to her, and 09:52:43
21 there is no evidence, and there is no corroboration, 09:52:47
22 and there is no witness, he never backed down from 09:52:50
23 these cases, ever. 09:52:55

24 He was challenged. He believed this 09:52:57
25 child. He believed this forensic interview. He 09:53:00

1 watched this child sit in this forensic interview, 09:53:03
2 because he saw 191 cases in eight years, 191 cases, 09:53:06
3 and he attended more than 75 percent of those 09:53:15
4 forensic interviews. 09:53:18

5 And he saw that seven-year-old sitting in 09:53:20
6 that forensic interview, and he saw her go from 09:53:21
7 talking casually about her day, to shrinking down in 09:53:23
8 a chair, to breaking eye contact, to her voice 09:53:27
9 getting very low, to saying, now do I have to say 09:53:31
10 what happened to me? 09:53:36

11 And it challenged him to find who did 09:53:39
12 this to her, because seven-year-olds don't make these 09:53:44
13 things up. And we need to protect her and we need to 09:53:46
14 protect other children, and we need to keep this from 09:53:48
15 happening again. 09:53:50

16 He never backed down from that, and it is 09:53:52
17 rare. And we have good detectives in Roane County. 09:53:55
18 We have no one like Greg Scalf, and we never have. 09:53:59

19 And we understand he made a mistake. He 09:54:04
20 made a serious mistake, and we are not here to 09:54:07
21 dispute that. He called us and told us exactly what 09:54:09
22 happened. And that was not easy, but he owned it. 09:54:12
23 And he said, I messed up and I'm going to resign. 09:54:16

24 And we have felt that void for two years, 09:54:20
25 because there is not another person in the sheriff's 09:54:24

1 office who is him. They do not have his skills. 09:54:27
2 They do not have his insight. They do not have his 09:54:30
3 inspiration. They are not challenged in the same 09:54:32
4 way. They are not him. 09:54:36
5 And our community in Roane County is not 09:54:39
6 the same. Our cases are not handled the same way. 09:54:41
7 There is a void. There is a loss. There is a lack 09:54:45
8 of inspiration because we do not have him. 09:54:48
9 Some of our team members shared these 09:54:53
10 things with me and gave me permission to share this 09:54:54
11 with you: Greg Scalf is an asset to the law 09:54:56
12 enforcement and to the child abuse victims he served 09:55:00
13 in Roane County. He was a motivated detective. He 09:55:03
14 was very passionate about protecting and seeking 09:55:06
15 justice for the children and citizens of Roane 09:55:09
16 County. 09:55:11
17 I had the honor of working with Greg for 09:55:11
18 more than ten years, and ask that you please take 09:55:13
19 into consideration the immeasurable contributions 09:55:16
20 Detective Scalf made to ensure that justice was 09:55:20
21 served in protecting the lives of the children and 09:55:23
22 the citizens of Roane County. 09:55:25
23 There's been a tangible void since 09:55:27
24 Detective Scalf has left our team, Child Protective 09:55:29
25 Investigative Team. It seems to have affected many 09:55:32

1 agencies, as we work with community organizations 09:55:34
2 there is not the support, the confidence or even the 09:55:37
3 friendship that we enjoyed before. Scalf was in many 09:55:40
4 ways the glue that held us together. And because of 09:55:44
5 his determination and love for this work, it inspired 09:55:48
6 us all to do better every day. 09:55:50

7 I can honestly say this, the county that 09:55:52
8 used to have the most productive in our child sex 09:55:55
9 abuse investigations, it's now different. It somehow 09:55:58
10 is less productive. There is a lack of communication 09:56:03
11 between our agencies. 09:56:05

12 Having Scalf as a part of our CPIT team, 09:56:06
13 we knew exactly what to expect. He returned calls. 09:56:09
14 He was accessible. He provided support as quickly as 09:56:13
15 possible. 09:56:16

16 As a result of his absence, so many 09:56:16
17 children of families we have worked with have lost 09:56:18
18 out on his support and his reassurance. 09:56:20

19 I think his joining our CPIT, the 09:56:23
20 sheriff's office again will remedy difficulties that 09:56:25
21 seem to have arisen over the past two years. 09:56:28

22 Detective Scalf is the most dedicated 09:56:32
23 investigator in the 9th Judicial District. He is one 09:56:34
24 of a kind. His level of commitment and compassion 09:56:37
25 for these cases and others surpass any investigator 09:56:39

1 I've ever dealt with during the last ten years I've 09:56:41
2 been here. 09:56:45

3 If my child or relative were abused, I 09:56:46
4 would choose Scalf to work this case over anyone, 09:56:48
5 hands down. I know he would leave no stone unturned 09:56:50
6 within his power to bring justice. 09:56:54

7 If Scalf is returned to this position, 09:56:56
8 the children we serve, the CPIT and the members of 09:56:58
9 our community win; if not, we all lose. 09:57:01

10 I've worked with child sex abuse victims 09:57:05
11 for the past 17 years, and I have never worked with a 09:57:07
12 law enforcement officer that impresses me as much as 09:57:10
13 Greg Scalf. 09:57:12

14 Greg Scalf is able to connect and 09:57:13
15 empathize not only with the child, but with the 09:57:15
16 nonoffending family. He communicates effectively 09:57:17
17 with the offender and obtains confessions and other 09:57:20
18 incriminating statements when the team thought there 09:57:24
19 was no hope. 09:57:26

20 He has been a team player and he has 09:57:26
21 supported and communicated with all team members. I 09:57:28
22 believe it is a disservice for him to not be 09:57:32
23 investigating child abuse cases in Roane County. 09:57:35

24 The last thing I'll say, and this is just 09:57:39
25 my observation of Greg Scalf, one thing I have known 09:57:42

1 from the day I met him when he walked into the Child 09:57:46
2 Advocacy Center, telling us how we needed to be doing 09:57:52
3 forensic interviews, when he was not a forensic 09:57:54
4 interviewer. 09:57:58

5 And I thought, he's a real arrogant guy, 09:57:58
6 I'm not sure I like him very much. It took a while 09:58:01
7 to like him because he was a very arrogant guy, but 09:58:03
8 he was a very competent man and he was extremely 09:58:06
9 passionate about this work. 09:58:09

10 And one thing I have come to know about 09:58:12
11 him is something he shared with me a long time ago. 09:58:13
12 He said, Chris, it is something within me that calls 09:58:18
13 me to do this work. 09:58:21

14 And it just reminds me of a piece of 09:58:23
15 scripture out of Isaiah, which is Isaiah 6, verse 8, 09:58:25
16 "Then I heard the voice of the Lord say, whom shall I 09:58:29
17 send? And he said, I will send us, I will send me." 09:58:32

18 We understand that he made a mistake. He 09:58:41
19 made a serious mistake. We believe he owned that 09:58:43
20 mistake, and he paid the price that our law would ask 09:58:45
21 for him to pay. 09:58:48

22 And we'd just ask that you would consider 09:58:49
23 allowing him the waiver to be able to return back to 09:58:51
24 the work that he was made to do. Thank you. 09:58:55

25 CHAIRMAN SPANGLER: Thank you. 09:58:58

1 REVEREND JOHNSON: Good morning. I'm 09:59:02
2 Reverend Sue Lynn Johnson. That's two names, Sue 09:59:04
3 Lynn. I'm one of the ministers at Kingston United 09:59:07
4 Methodist Church. And I have known Greg since the 09:59:12
5 mid-1990s, so I've known him a long time. 09:59:14

6 In fact, I attended his and his wife's 09:59:18
7 wedding, and was around for the birth of his child. 09:59:20
8 I've known Greg a long time. I've known him in 09:59:26
9 different capacities than these other folks who have 09:59:29
10 spoken. 09:59:33

11 What I know about Greg is he a man of 09:59:33
12 integrity. He does what is right and believes in 09:59:36
13 doing what's right. He has no bias, no agenda. 09:59:39

14 He called me once and said, Sue Lynn, 09:59:43
15 this is, I'm sorry to say, a professional call. And 09:59:46
16 it was about my son and some of the friends that he 09:59:51
17 had hung around with, and some information that Greg 09:59:53
18 had about some damage that had been done on property 09:59:58
19 near where I live. He called me, his minister, and 10:00:00
20 said we need to talk to your son. 10:00:06

21 Greg is honest. From the very beginning, 10:00:09
22 he has owned up to what he has done. I have seen his 10:00:12
23 son from the time he was born, when he was baptized 10:00:17
24 in our church. And I know what Greg has taught him, 10:00:21
25 and Greg has taught him to be honest. 10:00:26

1 I know his son, and he's a little stinker 10:00:30
2 sometimes, but Greg has taught him right from wrong. 10:00:32
3 And from the very beginning of all of this, he told 10:00:38
4 Ridley what had happened. He owned up to it. 10:00:42
5 Greg is dedicated. You have heard other 10:00:46
6 folks talk about his dedication to his work. I want 10:00:51
7 to talk to you about the dedication to his church. 10:00:54
8 From that first weekend that this 10:00:58
9 happened, Greg and his family have been in church. 10:01:02
10 They sit up front. He doesn't try to hide anything 10:01:07
11 by sitting in the back so he could make an easy 10:01:12
12 escape. He sat up front, knowing that all eyes would 10:01:14
13 be on him. 10:01:19
14 Greg is a man of faith. He knows that 10:01:21
15 God is a God of forgiveness, and when you ask for 10:01:25
16 forgiveness, God will give that forgiveness, and that 10:01:29
17 you make changes in your life and you move on, right? 10:01:33
18 Greg is devoted to his family. When his 10:01:38
19 son was born three months prematurely, I met him at 10:01:43
20 Parkwest Hospital where my husband was being 10:01:49
21 discharged, and we talked. And Greg said, I have 10:01:51
22 given my son to God. God is the only one who can 10:01:57
23 bring him through this. 10:02:03
24 And through those months of going to the 10:02:04
25 NICU to visit their son, Greg held his son to God, 10:02:07

1 without fail, without ever having any doubt that God 10:02:15
2 would bring them through that. 10:02:21

3 Ever since I was asked to speak or to 10:02:25
4 come on Greg's behalf, I've had a passage of 10:02:27
5 scripture that's run through my mind. My husband and 10:02:30
6 son suggested that I not use it, but I'm going 10:02:36
7 against their judgment and I'm going to use it 10:02:39
8 anyway. 10:02:42

9 And it's the passage in John Chapter 8 10:02:44
10 verses 1 through 7, Jesus has been in the synagogue, 10:02:46
11 in the temple teaching, and has come under the 10:02:51
12 scrutiny of Pharisees for healing somebody on the 10:02:54
13 Sabbath, because, you know, for the Pharisees to do 10:03:02
14 anything like that on the Sabbath is work. 10:03:05

15 So Jesus said, "You can do these things, 10:03:09
16 but I can't heal a man on the Sabbath?" Well, the 10:03:12
17 day ended, everyone went their separate ways, and the 10:03:16
18 next day they came back. 10:03:19

19 And this is where we read in John 10:03:21
20 Chapter 8: Early in the morning he returned to the 10:03:22
21 temple, all the people gathered around him and he sat 10:03:25
22 down and taught them. The legal experts of Pharisees 10:03:29
23 brought a woman caught in adultery, placing her in 10:03:33
24 the center of the group, they said to Jesus, Teacher, 10:03:36
25 this woman was caught in the act of committing 10:03:40

1 adultery. In the law Moses commanded us to stone 10:03:42
2 women like this. What do you say? 10:03:46

3 They said this to test him because they 10:03:50
4 wanted a reason to bring an accusation against him. 10:03:52
5 Jesus bent down and wrote on the ground with his 10:03:57
6 finger. They continued to question him. 10:03:59

7 So he stood up and replied, whoever 10:04:01
8 hasn't sinned should throw the first stone. Bending 10:04:04
9 down again, he wrote on the ground. 10:04:10

10 Those who heard him went away one by one, 10:04:11
11 beginning with the elders. Finally, only Jesus and 10:04:14
12 the woman were left in the middle of the crowd. 10:04:17

13 Jesus stood up and said to her, Woman, 10:04:20
14 where are they? Is there no one to condemn you? 10:04:25

15 And she said, no one, sir. 10:04:29

16 Jesus said, neither do I condemn you. Go 10:04:33
17 and from now on don't sin anymore. 10:04:36

18 Now, my emphasis is not on what the 10:04:40
19 Pharisees said and did or were trying to do to Jesus, 10:04:43
20 the emphasis was on Jesus and his response to the 10:04:47
21 woman. You sinned, he said it, in essence, in his 10:04:49
22 response to her. I don't condemn you, now go and 10:04:57
23 don't do that again. Change your life and do what is 10:05:01
24 right. 10:05:06

25 Ladies and gentlemen, Greg Scalf is an 10:05:09

1 asset to the law enforcement community, not only of 10:05:12
2 Roane County, but to the state of Tennessee. Our 10:05:15
3 community needs Greg Scalf. Our children need Greg 10:05:20
4 Scalf. Greg is a survivor. He will get through 10:05:26
5 this, but this is where he is called to be. 10:05:31
6 Thank you for your time. 10:05:35
7 CHAIRMAN SPANGLER: Thank you. 10:05:38
8 Mr. Scalf. 10:05:39
9 MR. Scalf: Thank you for allowing me and 10:05:41
10 giving me the opportunity to speak to all of you this 10:05:43
11 morning. I know these are not easy decisions; they 10:05:45
12 are difficult ones. They should be, this is a very 10:05:49
13 important job and a very important role that you 10:05:51
14 play. 10:05:54
15 And my actions two years ago, yes, it is 10:05:54
16 a very stressful job, it's very damaging to deal not 10:05:56
17 only with the victims, but the suspects, to reach 10:06:01
18 them on an emotional level, to exchange emotion and 10:06:03
19 to connect with them enough to where they give you a 10:06:06
20 statement, admission of guilt or a confession. 10:06:08
21 That's a difficult thing to do, and then 10:06:13
22 walk out of the room after two or three hours, or 10:06:15
23 however long it takes, and get in your car, drive 10:06:17
24 home, sit in your car for a second before you come to 10:06:21
25 the door, put on a happy face for an eight-year-old 10:06:24

1 and for your wife. 10:06:27

2 For 14 years it was difficult, and I made 10:06:29

3 a decision not to talk about most, if not all, of the 10:06:32

4 types of things I would see, from crime scenes to 10:06:36

5 incidents with child death, next-of-kin notification, 10:06:40

6 all of the horrible things -- people do not call us 10:06:43

7 when things are going well. We don't get those 10:06:46

8 calls. It's the opposite of the spectrum. Those are 10:06:48

9 the calls that we get. 10:06:51

10 So when I walk through the door and I 10:06:52

11 have an eight-year-old who expects it to be puppy 10:06:55

12 dogs, and his AYSO soccer coach, who I had been for 10:06:57

13 two years, and his hero, you put on that mask and 10:07:03

14 that's who you become, because you can't share some 10:07:05

15 of the things that you do for the community with your 10:07:09

16 family, or at least I thought. 10:07:12

17 And then you get to a point to where you 10:07:16

18 manage or you learn how to navigate in those waters, 10:07:20

19 working in that role. 10:07:25

20 And then something close to home happens. 10:07:26

21 A year before I was arrested, my father was diagnosed 10:07:31

22 with cancer. A couple of surgeries, removed his 10:07:34

23 bladder, he had a bag, and we found some clothes that 10:07:38

24 the bag would fit into. He had beaten it, he had 10:07:41

25 won. 10:07:45

1 Less than a week before I was arrested, 10:07:49
2 he went back for a six-month screening and the cancer 10:07:51
3 had returned, and this time it was nontreatable. His 10:07:54
4 doctors told him and told us that eat what you want, 10:07:58
5 live your life, be around your family, I don't really 10:08:01
6 know how much time that you have. 10:08:04

7 Because I had not been able to talk to my 10:08:08
8 wife about some of the things that I deal with at 10:08:12
9 work, I wasn't at that point, really, in a position 10:08:14
10 to talk to her about all of the rest of this. 10:08:17

11 That was a mistake, I see that now. And 10:08:21
12 I made the decision to drink too much and try to 10:08:25
13 drive home one night, well after midnight, and was 10:08:28
14 arrested. 10:08:32

15 In the last two years since this has 10:08:38
16 occurred, I've watched the destructive nature of 10:08:42
17 overindulgence or drinking to excess, how that has 10:08:47
18 impacted not only my family, my career, but also the 10:08:50
19 realization that I could have killed someone that 10:08:54
20 night. Based on my reckless behavior, I could have 10:08:58
21 killed an innocent person. 10:09:03

22 The people that I swore and took an oath 10:09:04
23 in 2001 to protect, I could have killed someone. 10:09:07
24 That still haunts me to this day, and it's something 10:09:10
25 I'll deal with the rest of my life. By the grace of 10:09:13

1 God, no one was injured. And thanks to Knox County, 10:09:16
2 I made it through that. 10:09:22

3 What I've learned over the last two years 10:09:26
4 is my technique or my decision to not share things 10:09:27
5 with my family was where I was in error. At some 10:09:32
6 point I talked to the pastor of my church, and they 10:09:37
7 asked me, do you talk to your wife. And I was like, 10:09:40
8 there's some things I just can't share with her. 10:09:42

9 And they counselled me. They said, 10:09:45
10 that's where you are off the rails, Greg. She's 10:09:47
11 tougher than she looks. So for the last two years we 10:09:50
12 talk about everything, our relationship is stronger 10:09:52
13 than it's ever been. 10:09:56

14 There were times throughout the 10:09:57
15 adjudication process with my situation two years ago 10:09:58
16 that we just would sit in the living room and cry. 10:10:01

17 And my child, I've always talked to him 10:10:05
18 from when he was young, at school especially, if you 10:10:07
19 get in trouble, admit your mistakes, correct the 10:10:11
20 behavior, make it right if you can, but more 10:10:14
21 importantly, you make better decisions down the road. 10:10:17
22 Your behavior doesn't define you unless you continue 10:10:21
23 to exhibit it. And he's rarely in trouble, and so 10:10:24
24 he's a good boy. 10:10:30

25 And now he's heard me say this for 10:10:31

1 several years. Well, now his father has stumbled, 10:10:35
2 and so now it's time for me to demonstrate that those 10:10:42
3 aren't just words that I tell him, that I'm a living, 10:10:44
4 breathing example of what I've tried to instill in 10:10:47
5 him or what I've tried to teach him. 10:10:49

6 That, yes, your father is not perfect, by 10:10:51
7 no means. But your father also has the ability to 10:10:55
8 change, to correct behavior, right, to realize what I 10:10:59
9 did and the way I was coping two years ago wasn't 10:11:04
10 going to work; it can't work. 10:11:06

11 And then what I found was being able to 10:11:09
12 share and talk with my wife about what I was feeling 10:11:11
13 and what I was going through, has a cathartic or a 10:11:13
14 therapeutic nature that alcohol cannot match. 10:11:17

15 I'm in a healthy place now. I believe 10:11:22
16 that I'm ready to come back. And I believe that the 10:11:24
17 children of Roane County are safer with me as a 10:11:27
18 detective of the sheriff's office. 10:11:29

19 DIRECTOR GRISHAM: Are you prepared for 10:11:40
20 the scrutiny you are going to get on 10:11:42
21 cross-examination? 10:11:44

22 MR. SCALF: Absolutely. 10:11:45

23 DIRECTOR GRISHAM: You have probably 10:11:46
24 already faced it. 10:11:47

25 Obviously, General Johnson is willing to 10:11:50

1 work through that as far as your reputation goes 10:11:52
2 moving forward. 10:11:54

3 MR. PHILLIPS: If I may, as far as I'm 10:11:58
4 concerned, you know, we anticipate this at some point 10:12:00
5 being an issue. In the Brownlow case we filed a 10:12:03
6 motion in limine to exclude any reference to the 10:12:06
7 conviction. The judge upheld that, it wasn't an 10:12:08
8 issue. 10:12:11

9 DUI is not a mens rea intent crime, so 10:12:11
10 unless he's out on the road doing field sobriety 10:12:15
11 tests, making a judgment call on DUI, we don't see 10:12:18
12 this problem. And I think the Court does too, 10:12:21
13 proceeding the same way. 10:12:25

14 COMMISSIONER CHERRY: I feel like asking 10:12:29
15 you just a few questions about the DUI itself, if I 10:12:30
16 could? 10:12:34

17 MR. SCALF: Absolutely. 10:12:34

18 COMMISSIONER CHERRY: Now, this happened 10:12:35
19 after your father had been rediagnosed? 10:12:36

20 MR. SCALF: Yes. 10:12:39

21 COMMISSIONER CHERRY: As I understand it 10:12:40
22 just looking at the materials here, you went to watch 10:12:43
23 a ball game with friends? 10:12:46

24 MR. SCALF: Yeah. I spent a couple days 10:12:47
25 at the house, just kind of in a dark place, and a 10:12:49

1 friend reached out to me. It was on a Thursday, the 10:12:51
2 Titans were playing Pittsburgh and said, hey, meet us 10:12:55
3 in Farragut, you can ride up with me and let's go 10:12:58
4 watch the game, get you out of the house, get you out 10:13:00
5 of your head a little bit. 10:13:03

6 I really hadn't accepted the fact that my 10:13:05
7 father was -- there was no fight that we could win. 10:13:07
8 We couldn't fight it anymore, you know. We went 10:13:11
9 from -- we had won. We beat it, to there was not 10:13:14
10 even any point of fighting it anymore. 10:13:18

11 And so he recognized that I was, you 10:13:21
12 know, not in a good place, sitting at home, you know, 10:13:23
13 like that. So he thought it would be a good idea, 10:13:26
14 and I did, to get out and just breathe and be around 10:13:29
15 friends and stuff like that. 10:13:33

16 COMMISSIONER CHERRY: When you drove 10:13:36
17 home, none of your friends tried to stop you from 10:13:41
18 driving home? Were you not demonstrably drunk at 10:13:43
19 that point? 10:13:48

20 MR. SCALF: Yeah. That's a good 10:13:48
21 question. The next day I called him and I said, hey, 10:13:50
22 you know, what happened? You know, what did you see? 10:13:52

23 He said, well, he said, I could tell you 10:13:56
24 were drowsy or tired. He said, I probably should 10:13:58
25 have called your wife or tried to talk you into 10:14:01

1 staying, but you said you were okay. Those were his 10:14:03
2 words to me. 10:14:05

3 Let me state that this is not his fault. 10:14:06
4 This is 100 percent on me. I made that decision and 10:14:11
5 I want to make sure that everyone is clear that I 10:14:15
6 realize that the decisions I make, I made, led to 10:14:17
7 that, and I was not his responsibility, but to answer 10:14:22
8 your question, sir. 10:14:24

9 COMMISSIONER CHERRY: Yeah, I think we 10:14:25
10 all recognize and appreciate the fact that you have 10:14:27
11 taken responsibility for this. 10:14:30

12 When you were arrested, did the police do 10:14:33
13 any kind of test of your blood or your breath to see 10:14:38
14 what your level of intoxication was? 10:14:40

15 MR. SCALF: Yes, I was transported to a 10:14:42
16 hospital and he did do a blood draw. 10:14:44

17 COMMISSIONER CHERRY: What was your BAC? 10:14:48

18 MR. SCALF: I believe it was .18. 10:14:49

19 COMMISSIONER CHERRY: So you were pretty 10:14:50
20 drunk. 10:14:52

21 MR. SCALF: Yes. 10:14:56

22 COMMISSIONER CHERRY: When you reported 10:14:56
23 this to your agency, did they react with, you know, 10:14:57
24 we are going to have to do something about this, or 10:15:01
25 was this just an immediate you went to the agency and 10:15:03

1 said, hey, I let this happen to me. I made a mistake 10:15:07
2 and I'm going to resign. Was it immediate like that, 10:15:09
3 or how did that -- 10:15:11

4 MR. SCALF: There was a few days before 10:15:12
5 the actual resignation took place. As to how many 10:15:14
6 days, I'm not sure. But, yeah, I notified them 10:15:17
7 immediately, and that was not a mistake. 10:15:20

8 That was a decision I made. It was a 10:15:22
9 terrible decision. Some people say mistake and tries 10:15:24
10 to minimize their -- you know, like it was accidental 10:15:27
11 or something. 10:15:30

12 It wasn't accidental. I made a terrible 10:15:30
13 decision to do that that night, and I realize that. 10:15:33
14 I've had an eight, now ten-year-old, watching me 10:15:37
15 navigate these waters throughout this process. And I 10:15:41
16 wanted to make sure that I was leading a good example 10:15:43
17 for him, and not try to get out of this in any way or 10:15:46
18 somehow minimize the decisions I made in my 10:15:49
19 responsibility for myself. 10:15:55

20 COMMISSIONER CHERRY: Many agencies have 10:15:56
21 programs for officers who get into alcohol or drug 10:15:57
22 abuse, and offer programs to help them overcome these 10:16:01
23 issues, without actually taking action to decertify 10:16:05
24 them or fire them or decertify them. And I don't see 10:16:08
25 anything in the records we have that indicates that 10:16:11

1 any action was taken to decertify you. 10:16:13

2 Your certification is still intact; is 10:16:16

3 that correct? 10:16:19

4 MR. SCALF: I'm not sure about that, sir. 10:16:19

5 COMMISSIONER CHERRY: But there was no 10:16:22

6 action taken that you know of to decertify you; is 10:16:23

7 that right? 10:16:27

8 MR. SCALF: I'm not sure, sir. 10:16:27

9 COMMISSIONER CHERRY: You were never 10:16:28

10 notified that you were being decertified or anything 10:16:29

11 like that? 10:16:31

12 DIRECTOR GRISHAM: His certification is 10:16:33

13 inactive just because he's not working. 10:16:34

14 COMMISSIONER CHERRY: Okay. So really by 10:16:36

15 resigning your position at your agency, you in effect 10:16:37

16 imposed upon yourself your own punishment, and in 10:16:45

17 effect almost a suspension of your certification, is 10:16:50

18 that fair to say? 10:16:54

19 MR. SCALF: That's fair to say. I did so 10:16:55

20 because I was guilty. I wasn't going to put Knox 10:16:59

21 County through any type of trial process or -- you 10:17:02

22 know, I had to demonstrate, and I keep saying I had 10:17:05

23 to demonstrate to my child, that when you get in 10:17:10

24 trouble, here is how you conduct yourself, in as much 10:17:12

25 dignity and grace as God will allow throughout the 10:17:16

1 process. 10:17:20

2 We are a small community, and it seems 10:17:21
3 that most of our more seasoned officers and 10:17:23
4 detectives are selected and lured out of our agency 10:17:26
5 by more money or more benefits or whatever, so we are 10:17:30
6 left with a constant turnover. 10:17:33

7 So having individuals that are seasoned 10:17:34
8 and are of the community to work there, is rare. We 10:17:38
9 don't really have it. And so it's always a struggle 10:17:41
10 to have good law enforcement, to have good 10:17:44
11 representation in the community. It was important 10:17:46
12 for me to try to get back. 10:17:52

13 COMMISSIONER CHERRY: As far as your 10:17:54
14 alcohol use is concerned, after this incident, after 10:17:56
15 you left the department, did you get involved in any 10:17:59
16 kind of alcohol treatment programs, Alcoholics 10:18:03
17 Anonymous or were you diagnosed? 10:18:08

18 What do you do in that regard to deal 10:18:10
19 with the alcohol use? 10:18:12

20 MR. SCALF: I had two separate alcohol 10:18:13
21 and drug assessments done, one by Knox County and one 10:18:15
22 by Covenant Counseling out of Knoxville. 10:18:17

23 Neither one suggested any follow-up with 10:18:21
24 Alcoholics Anonymous or anything like that. In my 10:18:25
25 opinion, this was an incident that was a perfect 10:18:27

1 storm of job-related stress, cancer diagnosis, you 10:18:32
2 know, dad. 10:18:36

3 It was just -- I was the person that 10:18:38
4 helped people deal with crisis. We go into dark 10:18:43
5 places with either the offender or the victim, and 10:18:47
6 help get them out and reach them in a certain way. 10:18:49

7 I found myself on uneven ground there. I 10:18:52
8 was in crisis and didn't even know it. And I chose 10:18:55
9 to cope the wrong way, incorrect way, and I realize 10:19:00
10 that now. 10:19:04

11 COMMISSIONER CHERRY: What is your 10:19:05
12 current practice as far as alcohol use is concerned? 10:19:07

13 MR. SCALF: A beer or a glass of wine 10:19:11
14 with my wife occasionally. It's not the same. 10:19:13

15 Any of that has a direct connection to 10:19:17
16 what happened two years ago, and the destructive 10:19:19
17 nature of overindulgence or drinking too much. It's 10:19:24
18 just -- and it doesn't work. To cope with the stress 10:19:30
19 of work and family and stuff like that, it just 10:19:33
20 doesn't work. 10:19:36

21 I found that being able to talk to my 10:19:37
22 wife and share to her, to share with my minister and 10:19:39
23 other people in this room, is very much more 10:19:42
24 therapeutic than alcohol could ever be. It's just 10:19:44
25 not a healthy thing to do. 10:19:46

1 And then I'll go back to the best apology 10:19:48
2 for my family, for this community, for the people in 10:19:53
3 this room that came up here today, is a change in 10:19:55
4 behavior. 10:19:58

5 I've worked for two years in the 10:19:58
6 community still, made it to work every day, my kid to 10:20:01
7 school every morning. A year of that was spent with 10:20:06
8 one of those interlock devices on my vehicle, so that 10:20:10
9 six or seven times you would be tested, your blood 10:20:12
10 alcohol content, even first thing in the morning at 10:20:15
11 6 a.m. when I left. 10:20:17

12 You can't be a regular alcohol user and 10:20:19
13 function in that capacity, that thing will detect it. 10:20:21
14 And I managed to go through that 365 days and was 10:20:23
15 clear of it, no extension for a violation or anything 10:20:27
16 like that. 10:20:29

17 Alcohol was a problem for me in 2017. I 10:20:30
18 chose to cope the incorrect way. It is not a problem 10:20:34
19 today. 10:20:37

20 COMMISSIONER CHERRY: At the current time 10:20:40
21 now, you are not under the jurisdiction of the court, 10:20:41
22 all of your obligations are completed, there's no 10:20:44
23 more probation, no more anything; is that correct? 10:20:46

24 MR. SCALF: No, sir, that's correct. 10:20:49

25 COMMISSIONER CHERRY: Thank you, I don't 10:20:50

1 have any other questions. 10:20:51

2 CHAIRMAN SPANGLER: Any other questions, 10:20:53

3 Commissioners? 10:20:54

4 COMMISSIONER WRIGHT: I have a few 10:20:56

5 things. 10:20:57

6 First of all, I appreciate you for your 10:20:58

7 military service, first and foremost. 10:21:00

8 MR. SCALF: Thank you. 10:21:03

9 COMMISSIONER WRIGHT: It's a very 10:21:06

10 impressive group of people that you was able to bring 10:21:08

11 here with you today, and obviously you and everybody 10:21:10

12 knew it's a pretty hard hurdle to receive a waiver in 10:21:14

13 a short period of time. 10:21:19

14 We could sit here and do the what ifs all 10:21:23

15 day long. You brought it up a little bit about you 10:21:26

16 could have killed somebody that day. Reading the 10:21:28

17 affidavit, it's not like you was pulled over for a 10:21:31

18 seat belt and he smelled the odor of alcohol. 10:21:33

19 You was driving on the wrong side of 10:21:39

20 I-40, eastbound in the westbound lanes. That's 10:21:44

21 very -- you was watched over that day for sure. 10:21:53

22 MR. SCALF: Absolutely. 10:21:56

23 COMMISSIONER WRIGHT: To get stopped, no 10:21:57

24 doubt. 10:21:59

25 MR. SCALF: Absolutely. 10:21:59

1 COMMISSIONER WRIGHT: I'm not sure. I 10:22:02
2 mean, I guess I'm kind of on the fence because of the 10:22:04
3 short time frame. 10:22:07
4 Obviously, with a group of people, I 10:22:08
5 don't think I could have got that many people to 10:22:10
6 speak anything good on my behalf. I don't think I 10:22:11
7 could get that many people together, but we'll see 10:22:14
8 how this commission hearing goes. I don't have 10:22:20
9 anything else. 10:22:23
10 CHAIRMAN SPANGLER: Thank you. 10:22:24
11 Any other comments, Commissioners? 10:22:26
12 I have a disclaimer to make. This 10:22:30
13 happened in Knox County. This was before me taking 10:22:31
14 office, so I know nothing about this case. So I 10:22:34
15 wanted to make sure that I brought this to the 10:22:39
16 commission. I don't believe that I have a conflict 10:22:42
17 on this, so I just wanted to make sure that everyone 10:22:44
18 knew. 10:22:47
19 All right. If there's no other 10:22:51
20 questions, I'll entertain a motion. 10:22:54
21 COMMISSIONER CHERRY: I make a motion to 10:22:57
22 approve the request for a waiver. 10:22:59
23 COMMISSIONER DUNBAR: Second. 10:23:01
24 CHAIRMAN SPANGLER: We have a motion from 10:23:01
25 Commissioner Cherry and a second from Commissioner 10:23:03

1 Dunbar to approve the waiver. 10:23:07

2 Any further discussion? 10:23:10

3 COMMISSIONER CHERRY: I'd just like to 10:23:12

4 point out, when I first looked through this package 10:23:13

5 just briefly based on the agenda we were given, I saw 10:23:15

6 that this is a fairly recent DUI, and oftentimes we 10:23:19

7 see requests for preemployment waivers for folks who 10:23:22

8 want to be officers and they got something that 10:23:25

9 recent, our eyebrows go up and we think, wow, this is 10:23:28

10 very recent, you know, he's going to have to have a 10:23:31

11 good story. 10:23:34

12 I didn't realize looking over that agenda 10:23:35

13 that this was a seasoned, experienced officer that 10:23:37

14 had already put in a number of years of service. 10:23:40

15 I didn't realize that at that moment that 10:23:44

16 he had effectively taken himself out of the law 10:23:46

17 enforcement community, imposing upon himself his own 10:23:50

18 discipline for this action, and now he's seeking to 10:23:54

19 come back. I think this is a different kind of 10:23:58

20 circumstance that we don't see very often. 10:24:02

21 If he had stayed in the agency, I'm not 10:24:08

22 convinced that he would have been fired. I could see 10:24:11

23 an agency, with somebody of this caliber, working 10:24:16

24 with him, helping him overcome whatever issues he had 10:24:18

25 so that they could maintain this officer in service 10:24:21

1 and continue to benefit from his expertise and 10:24:24
2 experience and abilities. 10:24:29

3 This is a case where I think Mr. Scalf 10:24:33
4 has taken it upon himself to discipline himself and 10:24:37
5 to correct his deficiencies, and now he's offering 10:24:41
6 himself up again to continue in service. 10:24:47

7 The agency is obviously behind him, the 10:24:50
8 community is behind him that he's working with, and I 10:24:52
9 think this is appropriate for a waiver. 10:24:57

10 CHAIRMAN SPANGLER: Any further 10:25:02
11 discussion? 10:25:02

12 All in favor, say aye. 10:25:08

13 Opposed? 10:25:11

14 The ayes have it. Congratulations. 10:25:13

15 MR. SCALF: Thank you. 10:25:17

16 CHAIRMAN SPANGLER: Thank you. Thank 10:25:17
17 you-all for coming. 10:25:18

18 Waivers for basic training, there are no 10:25:32
19 waivers for the month of November. Waiver of basic 10:25:34
20 training, no waivers for November. 10:25:38

21 Waive of in-service rule, we have none. 10:25:40

22 Our six-month rule waiver following the 10:25:45
23 department's requesting a waiver of the six-month 10:25:47
24 rule to keep their officers and/or officer and the 10:25:49
25 department in compliance. 10:25:53

1 Roane State Community College, Department 10:25:54
2 of Public Safety requests a six-month waiver for 10:25:57
3 Steven L. Davis, Jr. 10:25:59

4 Mr. Davis was hired by this agency on 10:26:02
5 September 27, 2019, and is registered to begin the 10:26:03
6 basic police academy at TLETA on January 5, 2020. 10:26:07

7 Good morning. 10:26:18

8 THE WITNESS: Good morning, sir. Thank 10:26:19
9 you. My name is William Kain, I'm the Director of 10:26:20
10 Pubic Safety and Chief of Police at Roane State 10:26:25
11 Community College. 10:26:26

12 We are requesting this waiver. We hired 10:26:26
13 Mr. Davis, he was actually a school security officer 10:26:28
14 for about six years in the Knox County school system. 10:26:31
15 When we hired him, we were trying to get him into an 10:26:34
16 academy a little closer to home. 10:26:37

17 Of course, I'm a graduate of the 10:26:40
18 Tennessee Law Enforcement Training Academy, it 10:26:40
19 tickles me to death that we have got him in there for 10:26:43
20 the January class, but we couldn't get his shop 10:26:45
21 records. 10:26:48

22 He looks like a younger guy, and if you 10:26:49
23 looked at his driver's license, he's actually -- I 10:26:50
24 think older than I am. And so high school was just a 10:26:52
25 few years before he came to the Roane State 10:26:56

1 Department of Public Safety, so we couldn't get his 10:26:59
2 shot records. 10:27:02

3 And in order to attend college at Walters 10:27:02
4 State, which is what they consider the police 10:27:06
5 academy, you have to have shot records. We would 10:27:07
6 have been sending him with about a week's notice, 10:27:09
7 maybe a week and a half, to the police academy. 10:27:12

8 And he had missed the orientation. And I 10:27:15
9 did not want to do that to him, so we got him 10:27:18
10 enrolled in the soonest class at the Tennessee Law 10:27:20
11 Enforcement Training Academy that we could. We'd 10:27:23
12 just respectfully request a waiver so that he could 10:27:25
13 complete that training and serve as a certified 10:27:27
14 officer with us. 10:27:29

15 And just a side note, I got a call from 10:27:30
16 him last night and he was with a special agent for 10:27:33
17 Norfolk Southern Police Department off duty. He 10:27:36
18 actually helped to get a couple of kids off the 10:27:38
19 railroad tracks with a train coming. 10:27:40

20 So this is somebody that has got a high 10:27:42
21 degree of integrity and honor, and we just humbly 10:27:44
22 request that he have this six-month waiver. 10:27:48

23 CHAIRMAN SPANGLER: Mr. Director, are 10:27:55
24 there any issues with that? 10:27:57

25 DIRECTOR GRISHAM: No, I don't think so. 10:27:58

1 CHAIRMAN SPANGLER: Everything is good? 10:28:01
2 COMMISSIONER RUSSELL: I make the motion 10:28:03
3 that we approve it. 10:28:04
4 COMMISSIONER WRIGHT: I second. 10:28:05
5 CHAIRMAN SPANGLER: We have got a motion 10:28:07
6 by Commissioner Russell and seconded by Commissioner 10:28:08
7 Wright. 10:28:13
8 Any further discussion? 10:28:13
9 All in favor, say aye. 10:28:15
10 Opposed? 10:28:17
11 The ayes have it. Thank you. 10:28:17
12 THE WITNESS: Thank you. 10:28:19
13 CHAIRMAN SPANGLER: New business for 10:28:24
14 discussion. The town of Unicoi is requesting that 10:28:25
15 P.O.S.T. recognize the town of Unicoi Police 10:28:30
16 Department as a law enforcement agency. 10:28:33
17 The town of Unicoi voted and passed 10:28:35
18 resolution 2019-303 on July 15, 2019. 10:28:37
19 Good morning. 10:28:43
20 CHIEF SLAGLE: Good morning. I'm Andy 10:28:44
21 Slagle. This is the Mayor Johnny Lynch for the town 10:28:47
22 of Unicoi. And I got hired a month ago yesterday, 10:28:51
23 and have been building the police department. 10:28:55
24 I've got a letter and everything, 10:29:00
25 information of what I've done, pictures of the cars 10:29:02

1 and stuff I'll give to you-all, if I can. 10:29:04

2 And we have obtained an ORI. I'm 10:29:11

3 scheduled to go Tuesday and Wednesday for Tibers 10:29:17

4 training, and work dealing with TITAN. I've got 10:29:22

5 TITAN installed. Got an MOU with the 911 dispatch 10:29:25

6 and everything else. Everything is ready to go, we 10:29:29

7 just have to get through this step and get 10:29:31

8 recognized. 10:29:34

9 And I've been in law enforcement since 10:29:35

10 2009. I've worked for the county before coming over 10:29:37

11 to the town. And I have a good working relationship 10:29:42

12 with the sheriff, and he's going to assist me. We 10:29:47

13 are getting the department going, we are looking to 10:29:50

14 grow. 10:29:53

15 DIRECTOR GRISHAM: While there's no clear 10:30:01

16 real procedure for starting up a law enforcement 10:30:03

17 agency, a lot of people will call us and they start 10:30:05

18 with building that relationship with the reporting 10:30:07

19 system and access to NCIC and all of that, but 10:30:11

20 basically they appear before you to tell you what 10:30:16

21 their plan is for what kind of officers they are 10:30:19

22 going to have and who is going to be the certified 10:30:21

23 chief. So that's why they are here today. 10:30:23

24 CHIEF SLAGLE: We are going to start 10:30:32

25 small. I mean, right now, it's just me, you know, 10:30:33

1 but looking to grow to some part-times and going down 10:30:36
2 the road for the budget, and keep on growing from 10:30:40
3 there, growing with the town. 10:30:46

4 It's a smaller town, it's 3,600 people. 10:30:48
5 It sits up within the northern part of Unicoi County, 10:30:51
6 like it says in my letter. And it's been covered by 10:30:55
7 the county. I came from the county. And, you know, 10:30:58
8 but it is a decent size, 16.3 square miles, most of 10:31:03
9 it is woods and stuff like that. 10:31:08

10 Like I said, we'll be working with the 10:31:10
11 sheriff and extra security for the town. And it's a 10:31:13
12 25-year-old town, so it's a younger town. 10:31:17

13 DIRECTOR GRISHAM: I don't have your 10:31:20
14 records at my fingertips, so could you just explain 10:31:21
15 what your background is as far as your 10:31:24
16 qualifications? 10:31:27

17 CHIEF SLAGLE: I started off -- I've 10:31:29
18 worked in public service since I was 18. I've 10:31:30
19 started dispatch. I was in the Army, National Guard. 10:31:32
20 Went from the Army to -- now I'm starting my swing 10:31:36
21 one (phonetic). 10:31:40

22 I worked with Carter County for a little 10:31:41
23 while, and then went to Unicoi County. And I stayed 10:31:43
24 with Unicoi County for -- they sent me through the 10:31:45
25 academy in '09. And I went back to Carter County 10:31:51

1 when my dad got sick because my family is from there. 10:31:53
2 And I worked there for a year, and then came back to 10:31:56
3 Unicoi County. 10:31:58
4 So I've just been -- I've been in Unicoi 10:31:58
5 County and Carter County my whole career. I don't 10:32:02
6 have any -- like I said, I came up here a couple 10:32:05
7 months ago with Major Morales for a P.O.S.T. -- there 10:32:10
8 was something with my P.O.S.T. 10:32:16
9 I resigned for a month and then went back 10:32:19
10 in, and now I think there's something dealing with my 10:32:21
11 certification with that. But there was no negative 10:32:25
12 marks or anything, but they approved me. 10:32:27
13 And that's what I was -- I wrote the 10:32:29
14 letter, hopefully, just transfer that certification 10:32:32
15 back over to the police department. 10:32:35
16 I've worked in CID. I've worked in 10:32:42
17 narcotics. I was a K-9 officer. I've worked school 10:32:46
18 resource officer, courthouse security. I've 10:32:48
19 patrolled. I've been supervisor for years, patrol 10:32:51
20 supervisor. 10:32:56
21 DIRECTOR GRISHAM: Did you attend our GI 10:32:57
22 school yesterday, by chance? 10:33:00
23 CHIEF SLAGLE: No, sir. I think that's 10:33:02
24 scheduled for April. 10:33:03
25 DIRECTOR GRISHAM: What we -- you need to 10:33:05

1 get up to speed on how to submit to P.O.S.T and 10:33:08
2 everything, because you will be the GDI going 10:33:10
3 forward. 10:33:13

4 COMMISSIONER BIRCHFIELD: What are 10:33:16
5 you-all's plans for the department, is it going to 10:33:16
6 be -- how many people? 10:33:21

7 CHIEF SLAGLE: Right now it's, like I 10:33:23
8 said, just me. I'm hoping to work it out with the 10:33:24
9 town to hire part-time people, maybe two or three 10:33:27
10 part-time starting off, and then continue to grow in 10:33:32
11 the years. Me and the mayor was talking a while ago, 10:33:36
12 we are eventually hoping to get eight. 10:33:39

13 And because Erwin -- you know, we are 10:33:41
14 right there with Erwin. Erwin has 16. We was 10:33:43
15 wanting to get eight, because we are about half the 10:33:47
16 size of Erwin. And the budget and the town, it's 10:33:49
17 been really supportive. 10:33:54

18 COMMISSIONER BIRCHFIELD: If you go to 10:33:59
19 school, you will learn the part-time issues. There's 10:34:00
20 some things you need to know, you need to consult 10:34:02
21 with the -- 10:34:04

22 CHIEF SLAGLE: I've made good friends 10:34:05
23 this month. You know, I've made good friends with 10:34:06
24 Chief Depew from Bluff City, Chief Burns (phonetic). 10:34:10
25 I've met a lot of people. I haven't done this by 10:34:14

1 myself, obviously. 10:34:17

2 And, you know, I've reached out and I'm 10:34:18

3 not too humble to ask for help. And I've made a lot 10:34:21

4 of friends and they have been a big help with me. 10:34:24

5 And it's been a great experience so far, I'm just 10:34:28

6 ready to go out and serve the community. 10:34:31

7 COMMISSIONER BIRCHFIELD: What I meant by 10:34:35

8 that, part time, there's certain rules that you can 10:34:36

9 work off and things like that, so you need to 10:34:38

10 communicate with P.O.S.T. or with -- 10:34:40

11 CHIEF SLAGLE: Yes. 10:34:43

12 DIRECTOR GRISHAM: Are you set up in the 10:34:45

13 ACADIS and everything? 10:34:47

14 CHIEF SLAGLE: That's what I was going to 10:34:48

15 work on next week, because they said we had to get 10:34:50

16 this process done first. 10:34:52

17 DIRECTOR GRISHAM: Give him Kelly's or 10:34:55

18 your contact information. Thank you. 10:34:57

19 COMMISSIONER WRIGHT: How are you 10:35:01

20 planning on covering all of the shifts, are you still 10:35:02

21 going to fall back on the county on the times that 10:35:04

22 you are not on? 10:35:07

23 CHIEF SLAGLE: Yes. 10:35:08

24 CHAIRMAN SPANGLER: When did you leave 10:35:09

25 the county? 10:35:10

1 CHIEF SLAGLE: October 12 was my last day 10:35:11
2 at the county. 10:35:14
3 COMMISSIONER BIRCHFIELD: So you are 10:35:17
4 currently certified? 10:35:18
5 CHIEF SLAGLE: The only break in service 10:35:20
6 I have had has been this month. 10:35:22
7 COMMISSIONER BIRCHFIELD: One month. 10:35:24
8 COMMISSIONER RUSSELL: Why did you leave 10:35:51
9 the county? 10:35:52
10 CHIEF SLAGLE: To come start the police 10:35:53
11 department. 10:35:54
12 VICE CHAIRMAN PARTIN: Mayor, down in my 10:36:11
13 territory, in some of the lower portions of the 10:36:13
14 Cumberland Plateau we have had several little 10:36:17
15 departments and they have come and gone. They are 10:36:18
16 there one day and gone the next. 10:36:21
17 I think I had one of my guys come in the 10:36:23
18 other day, and I think there's a little department up 10:36:25
19 above Nashville that this past week has closed its 10:36:27
20 doors and has got all of its patrol cars for sale. 10:36:31
21 I don't want to see your chief get in a 10:36:35
22 bind and start looking for another job. I just see 10:36:41
23 so many of these little start-up departments, and 10:36:44
24 they get some young person in there as a chief. And 10:36:49
25 they kind of don't understand about audits and drug 10:36:53

1 funds and accountability, and the next thing you know 10:36:57
2 they are indicted and they are in trouble. 10:37:00

3 So please use your head with great 10:37:03
4 oversight, don't get greedy. Don't be a speed trap, 10:37:07
5 be careful with that. I notice you have got one 10:37:10
6 alderman already against you. 10:37:13

7 But every department is always looking -- 10:37:17
8 these start-up departments are always looking for 10:37:20
9 revenue, and that's when things start going downhill. 10:37:22
10 Do what's right, follow the law. 10:37:26

11 CHIEF SLAGLE: I understand. 10:37:28

12 VICE CHAIRMAN PARTIN: And good luck to 10:37:30
13 you, but I'll make a motion if you need one, and wish 10:37:32
14 these folks good luck in their fair little city. 10:37:35

15 COMMISSIONER BIRCHFIELD: I second that. 10:37:39

16 CHAIRMAN SPANGLER: So your motion is to 10:37:40
17 approve their request to be a police department, 10:37:41
18 correct? 10:37:45

19 VICE CHAIRMAN PARTIN: Yes, sir. 10:37:46

20 COMMISSIONER BIRCHFIELD: I second it. 10:37:47

21 CHAIRMAN SPANGLER: And we have a second 10:37:47
22 by Commissioner Birchfield. 10:37:48

23 Any further discussion? 10:37:53

24 All in favor, say aye. 10:37:56

25 Opposed? 10:37:56

1 The ayes have it. 10:37:57
2 Congratulations. 10:37:59
3 CHAIRMAN SPANGLER: Is Oak Ridge here? 10:38:04
4 Did they come in? 10:38:07
5 2019 audit and inspection of Walters 10:38:17
6 State Community College Basic Police Academy was 10:38:20
7 conducted on October 29, 2019, and I see that the 10:38:22
8 director has stepped out. It says no findings, no 10:38:27
9 recommendations. When he comes back in, we'll just 10:38:32
10 see if he has anything to add to that. 10:38:36
11 Also a letter will be sent to Walters 10:38:38
12 State Basic Police Academy that they are in 10:38:45
13 compliance. 10:38:46
14 Also a 2019 audit and inspection of the 10:38:47
15 Knoxville Police Academy, Basic Police Academy, was 10:38:49
16 conducted on October 28, 2019, with no findings and 10:38:52
17 no recommendations. They will also have a letter 10:38:57
18 sent to them letting them know of that audit. 10:39:00
19 MS. COOPER: I conducted those, there was 10:39:07
20 no findings. 10:39:10
21 CHAIRMAN SPANGLER: No findings, thank 10:39:10
22 you. 10:39:11
23 Applications for training officer, 10:39:12
24 P.O.S.T. investigators have reviewed six applications 10:39:14
25 for training officer, and they appear to meet 10:39:17

1 criteria for approval. I'll entertain a motion to 10:39:20
2 approve. 10:39:24

3 VICE CHAIRMAN PARTIN: Motion to approve. 10:39:25

4 COMMISSIONER RUSSELL: Second. 10:39:26

5 CHAIRMAN SPANGLER: Motion by 10:39:26
6 Commissioner Partin and seconded by Commissioner 10:39:29
7 Russell. Any further discussion? 10:39:31

8 All in favor, say aye. 10:39:33

9 Opposed? 10:39:35

10 The ayes have it. 10:39:35

11 Specialized training curriculum, P.O.S.T. 10:39:37
12 investigators have reviewed 188 in-service 10:39:39
13 specialized training classes this month, as they 10:39:43
14 appear to be in order and meet or exceed minimum 10:39:45
15 standards set forth by Police Officers Standards and 10:39:48
16 Training Requirements. 10:39:52

17 They have made note that these training 10:39:52
18 offerings meet the P.O.S.T. requirement for fire 10:39:54
19 alarms, EVOC, mental illness and CSA. 10:40:00

20 Entertain a motion. 10:40:05

21 COMMISSIONER WRIGHT: Motion to approve. 10:40:07

22 COMMISSIONER FARRIS: Second. 10:40:09

23 CHAIRMAN SPANGLER: Motion to approve by 10:40:09
24 Commissioner Wright, second by Commissioner Farris. 10:40:10
25 Any further discussion? 10:40:13

1 All in favor, say aye. 10:40:15
2 Opposed? 10:40:17
3 The ayes have it. 10:40:17
4 Application for certified instructor, 10:40:19
5 P.O.S.T. investigators have reviewed 21 applications 10:40:21
6 for certified instructor, and they appear to be in 10:40:24
7 order and meet minimum standards, and they have 10:40:27
8 completed the minimum hours and attendance of 10:40:30
9 required courses. And you have a list of those. 10:40:33
10 I'll entertain a motion to approve. 10:40:37
11 VICE CHAIRMAN PARTIN: Motion to approve. 10:40:39
12 COMMISSIONER DUNBAR: Second. 10:40:40
13 CHAIRMAN SPANGLER: We have got a motion 10:40:40
14 to approve by Commissioner Partin, a second by 10:40:41
15 Commissioner Dunbar. Any further discussion? 10:40:45
16 All in favor, say aye. 10:40:48
17 Opposed? 10:40:50
18 The ayes have it. 10:40:51
19 And we have no waivers for the month of 10:40:52
20 November on the 8th-month rule. No waivers for 10:40:54
21 November for waiver of medical rule. And no waivers 10:41:00
22 for military leave rule for November. 10:41:03
23 And, Director, we went ahead and approved 10:41:10
24 the audit inspection for Walters State. I didn't 10:41:12
25 know if you had anything you wanted to add. 10:41:15

1 DIRECTOR GRISHAM: I did not, it was 10:41:17
2 straight form. 10:41:21
3 COMMISSIONER WRIGHT: We didn't actually 10:41:22
4 make a motion to approve on those, did we? I think 10:41:23
5 we just -- 10:41:25
6 CHAIRMAN SPANGLER: On the Walters State. 10:41:26
7 COMMISSIONER WRIGHT: On the Walters 10:41:28
8 State and Knoxville Police, I think we just read and 10:41:29
9 were going to wait for him to come back. 10:41:33
10 COMMISSIONER RUSSELL: We didn't. I'll 10:41:35
11 make a motion to approve both of them. 10:41:36
12 COMMISSIONER WRIGHT: Second. 10:41:38
13 CHAIRMAN SPANGLER: We have got a motion 10:41:39
14 for Commissioner Russell, and second by Commissioner 10:41:40
15 Wright. 10:41:40
16 All in favor, say aye. 10:41:43
17 Opposed? 10:41:44
18 The ayes have it. Thank you. 10:41:46
19 VICE CHAIRMAN PARTIN: Mr. Chair, if we 10:41:46
20 go back on this Oak Ridge, if the investigators or 10:41:52
21 directors can give us -- I think it's just late 10:41:53
22 submission paperwork for preemployment. 10:41:55
23 If any of them can get it, we might be 10:42:06
24 able to do something without them being here, unless 10:42:10
25 you see fit that they need to be here. 10:42:12

1 MR. UNDERWOOD: Usually, they are just 10:42:17
2 called to task for failing to abide and file the 10:42:18
3 paperwork, and that's usually why they'd be placed on 10:42:21
4 this. 10:42:23
5 DIRECTOR GRISHAM: They submitted a 10:42:24
6 letter with their explanation, which they are not 10:42:25
7 sure why this paperwork wasn't submitted, but they 10:42:27
8 reorganized their process. 10:42:30
9 COMMISSIONER RUSSELL: Did they ever get 10:42:36
10 it submitted? 10:42:37
11 DIRECTOR GRISHAM: Yes, it is submitted. 10:42:40
12 COMMISSIONER JACKSON: I'll make a motion 10:42:44
13 to approve it. 10:42:45
14 COMMISSIONER RUSSELL: I second. 10:42:45
15 CHAIRMAN SPANGLER: We have a motion to 10:42:45
16 approve by Commissioner Wright, and seconded by 10:42:46
17 Commissioner Russell. 10:42:49
18 All in favor, say aye. 10:42:50
19 Opposed? 10:42:51
20 The ayes have it. 10:42:51
21 Any old business? 10:42:55
22 MR. UNDERWOOD: This is an update from 10:42:57
23 legal. We have filed the rulemaking hearing rules 10:42:58
24 with -- the notice of rulemaking hearing with the 10:43:01
25 Secretary of State's office, it will be on Thursday 10:43:03

1 at 1:00, January 16. 10:43:07

2 So instead of an informal hearing, we 10:43:09
3 have a full commission meeting, similar to what we 10:43:12
4 did yesterday after rule making the day before for 10:43:16
5 the joint hearing. The next day will be Friday 10:43:19
6 morning we'll have this. 10:43:21

7 CHAIRMAN SPANGLER: Mr. Director, are 10:43:23
8 there any new rules? Are there any new rules that we 10:43:24
9 need to -- 10:43:27

10 MR. UNDERWOOD: I will provide you the 10:43:31
11 documents in December so I'll have the time to review 10:43:33
12 them. I mean, we are reviewing significantly all 10 10:43:35
13 chapters of the P.O.S.T. rules. So I'll give you the 10:43:37
14 redlines, which will show -- a strike through will be 10:43:40
15 the things we are removing, underlined will be the 10:43:42
16 things which we are adding, and so you will be able 10:43:45
17 to see the difference with what the new language will 10:43:46
18 be, if that's acceptable to you-all. 10:43:51

19 And we can email it to you as well, but I 10:43:52
20 want to make sure you have copies of it going through 10:43:54
21 it. It's easier to see on paper than it is on the 10:43:56
22 computer screen. 10:43:59

23 COMMISSIONER WRIGHT: I understand the 10:44:02
24 new rules, I guess, from the GDI school that there's 10:44:03
25 going to be some mandatory requirements now for 10:44:05

1 P.O.S.T. commissioners on meetings. Can you 10:44:07
2 enlighten us on that? 10:44:10
3 DIRECTOR GRISHAM: That's by statute. 10:44:10
4 MR. UNDERWOOD: That's by statute. That 10:44:13
5 was set a couple years ago that you had to make, what 10:44:13
6 is it, two nonexcused absences in a row or something, 10:44:15
7 is the issue. 10:44:18
8 COMMISSIONER WRIGHT: I just want to make 10:44:21
9 sure we stayed in compliance. 10:44:22
10 MR. UNDERWOOD: Just let us know if you 10:44:24
11 have got an excuse. We had some commissioners just 10:44:25
12 disappear once or twice, so we thought it should 10:44:30
13 change. 10:44:34
14 MS. COOPER: Did Sharon Roberts talk to 10:44:37
15 you about the eight-month rule? 10:44:42
16 DIRECTOR GRISHAM: This will be new 10:44:43
17 business, but we have come into an anomaly with the 10:44:44
18 way the rules are written. 10:44:50
19 Eight-month break in service, one of the 10:44:51
20 exceptions to that, if you get your in-service, an 10:44:58
21 exception to the eight-month rule would be that you 10:45:02
22 were under a medical disability. And our rule the 10:45:07
23 way it's stated says that -- 10:45:12
24 MR. UNDERWOOD: It's based on the 10:45:15
25 statute, correct? 10:45:16

1 DIRECTOR GRISHAM: Is it? 10:45:17

2 MR. UNDERWOOD: I think, yes, part of 10:45:18

3 it -- it's under 38-8-111(a)(2), it requires eight 10:45:19

4 months. 10:45:31

5 DIRECTOR GRISHAM: But the training 10:45:31

6 requirement in there, does it say training received 10:45:33

7 before the eight months? I believe that's in our 10:45:37

8 rule. 10:45:40

9 MR. UNDERWOOD: Must complete eight 10:45:44

10 months of full-time service. 10:45:46

11 DIRECTOR GRISHAM: Okay. Well, our rule 10:45:48

12 says if they have completed their training, and they 10:45:49

13 are medically disabled, they could be eligible. 10:45:57

14 With the modern changes in training 10:46:01

15 technology, these individuals who are otherwise out 10:46:04

16 on workers' comp or whatever their status is, light 10:46:08

17 duty, they are completing their in-service on V 10:46:12

18 academy; not before, but sometime within that year 10:46:15

19 period they are completing their in-service. 10:46:18

20 Now, of course, if they don't get their 10:46:20

21 mandated practical training done, like firearms, they 10:46:22

22 wouldn't be eligible for the pay supplement. 10:46:27

23 But I think the intent is there that if 10:46:30

24 they complete their in-service in some way and they 10:46:33

25 have valid medical disability that's keeping them 10:46:37

1 from working full time, I think they should be 10:46:41
2 eligible. So I just kind of wanted your wishes on 10:46:45
3 that. 10:46:49

4 Technically, they didn't complete that 10:46:50
5 training before they got injured or sick, they are 10:46:51
6 completing it within that calendar year, and I think 10:46:56
7 they should be eligible. 10:47:00

8 So what's your pleasure on it? 10:47:01

9 MR. UNDERWOOD: We can amend the rule at 10:47:04
10 the hearing. You can contemplate this. 10:47:05

11 COMMISSIONER WRIGHT: I think it makes 10:47:10
12 sense if it's completed inside that calendar year. 10:47:11

13 DIRECTOR GRISHAM: Little tweaks that I 10:47:13
14 pointed out yesterday in the GDI school, like the 10:47:15
15 fact that the agencies need to keep an application 10:47:17
16 for certification on file. We don't ask them to use 10:47:21
17 that anymore. We are going to edit out a few little 10:47:24
18 things at the hearing, but that's one little 10:47:26
19 housekeeping thing. 10:47:31

20 CHAIRMAN SPANGLER: One of the other 10:47:34
21 things too, did we make changes on those waiver forms 10:47:34
22 as far as the way they were worded? 10:47:37

23 MR. UNDERWOOD: Yes. 10:47:40

24 CHAIRMAN SPANGLER: So the people 10:47:41
25 understand what we are asking? 10:47:41

1 MR. UNDERWOOD: Yes, sir. Yes, we did. 10:47:43

2 DIRECTOR GRISHAM: All of the forms were 10:47:46

3 pulled and sent through the publication process 10:47:47

4 again. 10:47:49

5 CHAIRMAN SPANGLER: Commissioner Wright, 10:47:52

6 you have that look like what? 10:47:56

7 COMMISSIONER WRIGHT: I'm ready to make a 10:47:59

8 motion here. 10:48:00

9 CHAIRMAN SPANGLER: Before we adjourn, 10:48:02

10 thank you everyone for your attention, again. 10:48:04

11 And before we get out of here, I want to 10:48:07

12 make sure that I wish everybody a happy Thanksgiving 10:48:10

13 and your families, and best wishes and we'll see you 10:48:13

14 next month. 10:48:16

15 So with that, I'll entertain a motion. 10:48:17

16 COMMISSIONER WRIGHT: Motion to adjourn. 10:48:20

17 COMMISSIONER RUSSELL: Second. 10:48:21

18 CHAIRMAN SPANGLER: Motion and a second 10:48:22

19 to adjourn. 10:48:23

20 All in favor, say aye. 10:48:24

21 Opposed? 10:48:25

22 We are adjourned. 10:48:26

23 (WHEREUPON, the foregoing proceedings

24 were adjourned at 10:48 a.m.)

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REPORTER'S CERTIFICATE

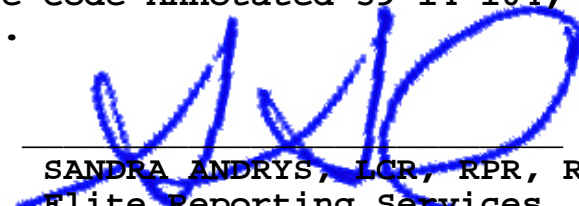
STATE OF TENNESSEE

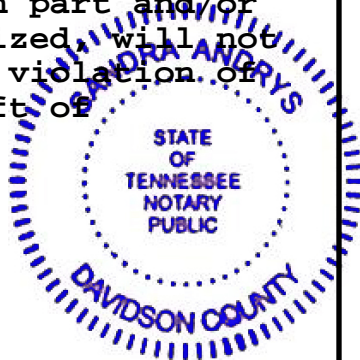
COUNTY OF FENTRESS

I, SANDRA ANDRYS, LCR, RPR, RMR, with offices in Nashville, Tennessee, hereby certify that I reported the foregoing proceedings of the TN Department of Commerce & Insurance, P.O.S.T. Commission Meeting, by machine shorthand to the best of my skills and abilities, and thereafter the same was reduced to typewritten form by me.

I further certify that I am not related to any of the parties named herein, nor their counsel, and have no interest, financial or otherwise, in the outcome of the proceedings.

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1 32:10	25-year-old 55:12	abide 65:2	add 61:10 63:25
10 66:12	27 51:5	abilities 50:2	adding 66:16
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12 59:1	3,600 55:4	absent 4:21 5:6,8	administrative 4:12 8:16,18
120 17:4	30 23:15	Absolutely 23:3 38:22 39:17 47:22,25	administrator 17:16
13 17:12 24:12	36 19:19 20:18	abstain 6:15	admission 34:20
14 35:2	365 46:14	abstained 6:11	admit 37:19
15 53:18	38-8-111(a)(2) 68:3	abuse 15:15,16 24:9 26:12 27:9 28:10,23 42:22	adultery 32:23 33:1
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17 13:13 28:11	<hr/> 5 <hr/>	ACADIS 58:13	affected 26:25
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18 41:18 55:18	<hr/> 6 <hr/>	acceptable 66:18	afternoon 3:11
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