



Legislation Text

File #: 16-0445, Version: 1

Ethics Complaint - Event Ten involving Councilman Jesse Kerley

SUMMARY:

Councilman Kerley did interfere with police investigations on numerous occasions. Intentionally and under color of office, for the purpose to cause those persons to be arrested and deprive them of their right of free speech and pursuit of freedom from oppression. In so committing this course of action did commit official oppression (T.C.A. 39-16-403) and abuse of authority.

- A. On June 2, 2016 an altercation took place at City Hall. The altercation itself took place in view of a surveillance video. Councilman Kerley and Jerry Kerley were unaware a surveillance system covered the area. When I reported the incident, I told Chief Shoap it would be on video. Mr. Hill, who is a friend of the Kerleys and sponsored by Kerley, had Kyle Sherrill open up the I.T. department before City Hall was open. This is the only known time Mr. Hill came to work early. Mr. Hill called Chief Shoap and the City Attorney and asked them to meet him there. Chief Shoap was at the police station; he drove right over and found Steve Hill and the Kerleys going over the tape and discussing their story. Instead of meeting him there, they had already gotten to the location and pulled the video. Councilman Kerley was not satisfied to make a statement, but was engaged in tampering with evidence. He showed him (the Chief) the video and acted as the narrator to sell him on the version of story he was presenting. Councilman Kerley did not show him the whole video and effectively tampered with evidence. He did not show him (the Chief) the aggressive part of Councilman Kerley and the stalking by himself and his father, Jerry Kerley. After this occurred Councilman Kerley, in an overbearing manner, continued to harass the Chief in an attempt to have me (Councilman Souza) arrested.
- B. On June 3, 2016 Chief Shoap reviewed the full video and went to see the City Manager. He informed the City Manager he was going to the D.A. He stated that the video was clear and that Jesse Kerley and Jerry Kerley had stalked and assaulted Councilman Souza.
- C. During the early morning meeting of June 3, 2016 at City Hall, Councilman Kerley did engage Police Chief Shoap directly in the presence of the City Manager and witnesses on demanding an explanation of events and actions of his department surrounding allegations and actions pertaining to pending litigation between Judge Ivy Garner, Mr. Blankenship and the City of Crossville. While Councilman Kerley has the right to inquiry, he does not have the right to impede an ongoing investigation or interfere with the conduct of the duties of the Crossville Police Department. Councilman Kerley, who initiated complaints against Mr. Blankenship, did use his office in an attempt to cause action against Mr. Blankenship for personal reasons, thus abusing his authority.

City Council shall either determine that the complaint has merit, determine that the complaint does not have merit or determine that the complaint has sufficient merit to warrant further investigation. If the Council determines that a complaint warrants further investigation, it shall authorize an investigation by the City Attorney or another individual or entity chosen by the City Council. (§ 1-710 (3))

BUDGET ACCOUNT:

NECESSARY COUNCIL ACTION: Determine merits of complaint