

# OFFICE OF CITY ATTORNEY



**TO:** CITY COUNCIL

**FROM:** SUSAN HIGH-MCAULEY, CITY ATTORNEY

**DATE:** JUNE 2, 2026

**SUBJECT:** INVESTIGATION FINDINGS RELATED TO AUGUST 15, 2023, SURVEILLANCE VIDEO FOOTAGE AND RECOMMENDATION OF NEW POLICY

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Pursuant to an email request from Councilman Jouvence, I have conducted an internal investigation into the handling and release of City Hall surveillance video footage from August 15, 2023. Following a Council meeting on that date, an exchange occurred between then-Councilwoman Eileen George and Councilman Jouvence outside Council Chambers, in the presence of several witnesses. On August 17, 2023, Councilman Jouvence submitted a public records request for the second-floor lobby surveillance video outside Council Chambers, referencing media inquiries about a purported physical altercation following the August 15, 2023, meeting. My office denied that request under T.C.A. § 10-7-504(m)(1)(E), treating the surveillance video as a confidential security recording not subject to release in response to a public records request. My office had denied similar public records requests for surveillance video based on the same statute. It was and remains important to my office to be consistent in responding to records requests. Following the denial of the public records request, Councilman Jouvence's attorney submitted a request for the same video to my office, which was denied based on the same reasoning. No other formal records requests were made for the August 15, 2023, surveillance video. However, according to Councilman Jouvence's email former Councilwoman George posted a still photo on social media that appears to be derived from the August 15, 2023, surveillance video.

The internal investigation identified the following facts regarding internal access to the footage and the subsequent release of the video. I will begin with the fact that there has been no recent release of the video by the City or through any official channel. The facts related to the handling and release of the video are as follows. On August 16, 2023, Chief Bandy forwarded to Mayor Brown and me surveillance footage from the second-floor lobby camera capturing the August 15 exchange outside Council Chambers between Ms. George and Councilman Jouvence. Police IT had access to this camera feed. The footage differed in angle from the still image later posted. The City Attorney's Office and Police Department viewed only this footage; City IT did not view this footage. This footage remained internal and was not released externally.

City IT maintained access to a separate, second surveillance camera in the second-floor lobby. On or around June 5, 2024, the Mayor requested a copy of the surveillance video from IT, and IT provided it consistent with past internal-use practice. Later that same day Ms. George requested the same video footage from Jennifer LeFevre in IT, stating she had authorization from the Mayor and City Attorney for release. However, I was out of the state at that time, and I would not have approved external dissemination of surveillance footage, given the City's prior stance on the subject. Because no formal public records request was submitted, the request did not route through the City Attorney's Office for public records request review and response. The former Assistant City Attorney has confirmed she did not authorize the release, and neither of us recalls Ms. George submitting a request through our office. The IT Director did not release the video to Ms. George and confirmed she would not release surveillance footage beyond internal operational use absent City Attorney authorization. The Mayor indicated she forwarded the video to Ms. George based on Ms. George's expressed safety concerns for herself and her daughter following her resignation from the City Council. When I spoke with Ms. George on May 26, 2026, she initially did not recall requesting the footage from IT or receiving it from the Mayor. In fact, at the time I spoke with her, she was unaware if she still has access to the video footage. She stated she obtained the still photograph from Councilman Fennell shortly

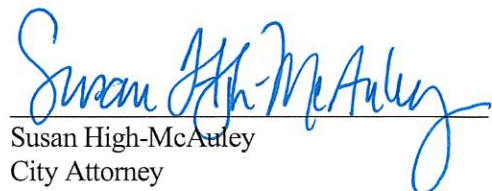


before posting it on social media in May 2026. Councilman Fennell confirmed he sent the still photo to her recently, but he advised that Ms. George had provided the video to him in June 2024. Ms. George called me back on May 26, 2026, to advise that after our initial call, she spoke with Councilman Fennell. Although she did not remember doing so earlier, she confirmed she had provided the video to Councilman Fennell almost two years prior. Ms. George stated she posted the still image in response to a social media post by Councilman Jouvence that she perceived as an attack.

The Mayor, Councilman Fennell, and Ms. George each stated they were unaware that City building surveillance video should not be released externally—whether via a formal public records request or otherwise—outside of authorized internal use. They further stated they did not know at the time of the 2024 release that a similar request by Councilman Jouvence had been denied in 2023. Regardless of intent, the video should not have been released or posted externally given the City’s prior confidentiality determinations for surveillance footage under T.C.A. § 10-7-504(m)(1)(E). It is my understanding that the still image was removed from social media shortly after posting.

As part of the internal investigation, I have met with the IT Director and Police Chief to ensure a recurrence does not happen in the future. Currently, the City lacks a formal policy governing internal access to, and external release of, surveillance video. We recommend that going forward no copies of surveillance video should be distributed internally to any City employee or elected/appointed official. When administrative review is necessary, viewing should occur only in the IT office in the presence of the IT Director or designee, with no screenshots, photographs, or reproductions permitted. All requests concerning surveillance video access or release should be routed to the IT Director for logging and coordination, except Police Department systems, which should be routed to the Police Chief. Any release of video related to criminal incidents, public safety, or security should be authorized by the Police Chief and approved by the City Attorney prior to dissemination, when practicable. All other releases require prior approval from the City Attorney’s Office. All external requests for surveillance video (absent a court order) must be submitted and processed as a public records request under the TPRA. This policy framework is intended to ensure consistent identification and application of statutory exemptions and a controlled, documented approval process for any release.

In addition to a new policy on the internal use/review of City surveillance video, additional training will be completed related to release of records and public records requests, including surveillance video. The City has worked with Office of Open Records Counsel to conduct training courses in the past, and we will work to get training scheduled again. In the interim, I will brief department heads on the new surveillance video procedures, broader records considerations, and the need for consistent release practices, and ask them to disseminate the guidance to their staff. The City will continue to work diligently with its records and to respond to public records requests in accordance with applicable law and established procedures, applying them consistently across requesters and time.

  
Susan High-McAuley  
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