

STATE OF TENNESSEE
DEPARTMENT OF CORRECTIONS

FILED
BY JOY R. McCROSKE
AUG -6 AM 8:18

INVESTIGATION REPORT

KNOX COUNTY CRIMINAL COURT
KNOXVILLE, TN



Defendant: John J. Duncan, III

Judge: Mary Beth Leibowitz

Hearing Date: 8/15/13

Court/Division: Knox Co. Criminal, Div. III

Defense Attorney: Jeff Hagood

District Attorney: Randall Nichols

Investigating Officer: Sarah Chaney

Type of Report: Presentence

Date Submitted: 8/5/13

Docket #: 101856

TENNESSEE BOARD OF PROBATION AND PAROLE
PRESENTENCE REPORT
ORDERED ON: 07/17/2013
PREPARED BY: CHANEY, SARAH

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WITTTSA01

DEFENDANT INFORMATION

NAME: JOHN J. DUNCAN, III

AKA: DUNCAN, JOHN JAMES

ADDRESS: 8621 NUBBIN RIDGE RD.
KNOXVILLE, TN 37923

PRESENT LOCATION:

AMOUNT OF BOND: N/A
BOND CONDITION:

DOB: 08/22/1980
RACE: WHITE
HEIGHT: 6 FT 2 IN
EYES: BROWN

AGE: 32
SEX: M
WEIGHT: 220
HAIR: BROWN

SSN: [REDACTED]
FBI: [REDACTED]
NCIC: UNKNOWN

TDOC: 00524604
SID: [REDACTED]

MARITAL STATUS: MARRIED

SECURITY THREAT GROUP AFFILIATION:
STG STATUS: DATE:

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COURT INFORMATION

JUDGE: LEIBOWITZ, MARY BETH

COURT: KNOX COUNTY CRIMINAL

DIVISION: 3RD DIVISION

PROSECUTOR: NICHOLS, RANDALL E.

DEFENSE: JEFF HAGOOD
TYPE: RETAINED

SENTENCING HEARING: 08/15/2013

COUNTY OF CONVICTION	CASE DOCKET YEAR NUMBER	COUNT
047	2013 101856	001

COUNTY OF CONVICTION	CASE DOCKET YEAR NUMBER	COUNT
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RE: JOHN J. DUNCAN, III
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OFFICIAL VERSION:

DOCKET #101856

INFORMATION:

ON OR ABOUT THE ____ DAY OF DECEMBER, 2010, JOHN JAMES DUNCAN, III, DID UNLAWFULLY AND KNOWINGLY, WHILE A PUBLIC SERVANT, AND WITH THE INTENT TO OBTAIN A BENEFIT, DID COMMIT AN ACT RELATING TO THE SERVANT'S OFFICE AND EMPLOYMENT THAT CONSTITUTED AN UNAUTHORIZED EXERCISE OF OFFICIAL POWER; TO-WIT: THE SAID JOHN JAMES DUNCAN, III, THE DULY ELECTED TRUSTEE OF KNOX COUNTY, TENNESSEE, DID ORDER PAYMENTS OF MONIES FROM FUNDS OF THE KNOX COUNTY TRUSTEES OFFICE BY THE KNOX COUNTY PAYROLL DEPARTMENT TO HIMSELF AND TO CERTAIN OTHER EMPLOYEES OF THE TRUSTEE'S OFFICE, THAT SAID PAYMENTS WERE ON THE PURPORTED AUTHORITY OF TCA 5-1-310 (CERTIFIED PUBLIC ADMINISTRATOR-- EDUCATIONAL INCENTIVE PAYMENTS) AND KNOX COUNTY CHANCERY COURT JUDGMENT NO. 178839-2 WHEREIN THE HONORABLE DARYL FANSLER ON SEPTEMBER 1, 2010 ORDERED "...INCENTIVE PAYMENTS UP TO AN AMOUNT NOT TO EXCEED \$3,000.00 PER YEAR TO EACH EMPLOYEE THAT COMPLETES THE UNIVERSITY OF TENNESSEE CENTER FOR TRAINING CERTIFIED PUBLIC ADMINISTRATOR PROGRAM..." AND THE SAID JOHN JAMES DUNCAN, III DID ON DECEMBER 6, 2010 ORDER PAYMENTS OF THREE THOUSAND (\$3,000.00) DOLLARS EACH FOR HIMSELF AND CERTAIN OTHER EMPLOYEES, NONE OF WHOM HAD MET THE REQUIREMENTS OF THE AFORESAID STATUTE AND JUDGMENT TO COMPLETE THE CERTIFIED PUBLIC ADMINISTRATOR PROGRAM, TOTALING MORE THAN FIFTEEN THOUSAND DOLLARS (\$15,000), AND THE KNOX COUNTY PAYROLL DEPARTMENT DID SUBSEQUENTLY ON DECEMBER 10, 2010 ISSUE SAID ORDERED PAYMENTS, AND FURTHERMORE THAT THE ACTIONS OF THE SAID JOHN JAMES DUNCAN, III WERE DONE WHILE THE SAID JOHN JAMES DUNCAN, III WELL KNEW THAT NEITHER HE NOR CERTAIN OTHER EMPLOYEES HAD COMPLETED THE UNIVERSITY OF TENNESSEE CENTER FOR TRAINING CERTIFIED PUBLIC ADMINISTRATION PROGRAM, IN VIOLATION OF TCA 39-16-402.

ON 7/2/13, THE DEFENDANT SUBMITTED TO OFFICIAL MISCONDUCT, A CLASS E FELONY WITH AN AGREED SENTENCE OF ONE YEAR. THE DEFENDANT WAS REFERRED TO THE STATE PROBATION OFFICE FOR A PRESENTENCE INVESTIGATION AND THE CASE WAS CONTINUED TO 8/15/13. THE DEFENDANT IS APPLYING FOR UNSUPERVISED JUDICIAL DIVERSION.

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DEFENDANT'S VERSION:

"THE CTAS PROGRAM IS A SERVICE FROM THE UNIVERSITY OF TENNESSEE, WHICH PROVIDES TRAINING AND SUPPORT TO LOCAL GOVERNMENT OFFICIALS. MANY COUNTIES, INCLUDING KNOX, AND MANY DEPARTMENTS, INCLUDING THE TRUSTEE'S OFFICE, HAVE AWARDED INCENTIVE PAYMENTS TO EMPLOYEES WHO COMPLETE THE PROGRAM AND/OR MAINTAIN THEIR CERTIFICATIONS. WHILE SERVING AS KNOX COUNTY TRUSTEE, I MANAGED THIS PART OF THE OFFICE AS POORLY AS I POSSIBLY COULD HAVE AND ACCEPT FULL RESPONSIBILITY FOR IT.

I BEGAN STUDYING AND RELYING ON CTAS MATERIALS BEFORE AND AFTER I BECAME A CANDIDATE FOR OFFICE. AFTER I WAS SWORN IN, I WAS ALMOST SOLELY FOCUSED ON BUILDING A STAFF, CHANGING THE CULTURE, AND GETTING THROUGH MY FIRST TAX SEASON. UNFORTUNATELY, I GAVE THE CTAS PROGRAM ALMOST NO THOUGHT WHATSOEVER DURING THOSE FIRST MONTHS THOUGH I USED A LOT OF WHAT I LEARNED FROM CTAS EARLY ON.

IN NOVEMBER 2010, I SIGNED OFF ON A LETTER TO THE PAYROLL DEPARTMENT REQUESTING INCENTIVE PAYMENTS TO SEVERAL EMPLOYEES, INCLUDING \$3000 FOR MYSELF, FOR "PARTICIPATING" IN THE CTAS PROGRAM. ALL OF THE PARTICIPANTS HAD ENROLLED BUT I KNEW THERE WAS NO WAY ANY OF THEM COULD POSSIBLY HAVE COMPLETED THE COURSEWORK BY THAT POINT. MY INTENT WAS FOR EVERYONE RECEIVING A PAYMENT TO COMPLETE THE COURSEWORK WITHIN A YEAR. CHAD TINDELL, OUR LEGAL COUNSEL, DRAFTED A LETTER WHICH SPECIFIED THAT ANYONE WHO DID NOT FINISH WITHIN A YEAR WOULD HAVE TO PAY THE MONEY BACK.

DURING THAT SAME MONTH OF DECEMBER, I INFORMED MY STAFF THAT I WOULD NO LONGER PAY AN AUTO ALLOWANCE OF \$5,400 PER YEAR, AS HAD BEEN DONE IN THE PAST. THIS MEANT THAT I WAS CUTTING MY OWN SALARY BY \$5,400 AND WOULD BE THE ONLY FEE OFFICEHOLDER IN KNOX COUNTY AT THE TIME TO NOT TAKE AN ALLOWANCE. THIS WAS NOT A PR MOVE, AS WE DIDN'T EVEN ISSUE A PRESS RELEASE. I JUST THOUGHT IT WAS THE RIGHT THING TO DO. ALTHOUGH UNRELATED TO CTAS, I BELIEVE THIS SHOWS MY INTENTION AT THE TIME WAS NOT TO GET WHATEVER I COULD FROM THE COUNTY, AS I GAVE UP FAR MORE THAN I RECEIVED (\$5,400 VS. \$3,000).

HOWEVER, I COMPLETELY DROPPED THE BALL WHEN IT CAME TO CTAS. I SHOULD HAVE CHECKED WITH OTHER OFFICEHOLDERS TO SEE HOW THEY HANDLED THE PROGRAM. I ALSO SHOULD HAVE MADE SURE THE PAYMENTS WERE APPROPRIATE WITH THE LAW DIRECTOR AND FINANCE DEPARTMENT. I ACCEPT FULL RESPONSIBILITY FOR THE HANDLING OF THIS CONTINUING EDUCATION UNDER MY WATCH."

JOHN DUNCAN
7-23-13

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CODEFENDANTS:

00515741 BURNETT, JOSHUA A.
DOB: 04/11/1980 SEX: MALE RACE: WHITE
CURRENT LOCATION:

00515742 TINDELL, CHADWICK B.
DOB: 01/21/1964 SEX: MALE RACE: WHITE
CURRENT LOCATION:

CODEFENDANTS STATUS:

JOSHUA BURNETT PLED GUILTY TO FACILITATION OF OFFICIAL MISCONDUCT (CASE #100876) ON 12/12/12 AND WAS PLACED ON SUPERVISED JUDICIAL DIVERSION FOR 11 MONTHS, 29 DAYS. ON 5/10/13, THE COURT AMENDED HIS SENTENCE TO UNSUPERVISED JUDICIAL DIVERSION AND HE WAS DISCHARGED FROM SUPERVISION.

CHADWICK TINDELL PLED GUILTY TO FACILITATION OF OFFICIAL MISCONDUCT (CASE #100878) ON 12/12/12. HE WAS PLACED ON UNSUPERVISED JUDICIAL DIVERSION FOR 11 MONTHS, 29 DAYS.

VICTIM'S STATEMENT:

AFTER CONSULTING WITH JOHN GILL IN THE DISTRICT ATTORNEY GENERAL'S OFFICE, A VICTIM IMPACT STATEMENT WAS NOT SENT.

AGENCY STATEMENT:

THE FOLLOWING INFORMATION FROM THE TBI FILE WAS PROVIDED BY JOHN GILL, SPECIAL COUNSEL TO THE DISTRICT ATTORNEY GENERAL:

SUMMARY FROM TBI REPORT OF ACTIONS BY JOHN DUNCAN III WHILE SERVING AS KNOX COUNTY TRUSTEE REGARDING INCENTIVE PAYMENTS FOR THE COUNTY OFFICIALS CERTIFICATE TRAINING PROGRAM (COCTP) AS ADMINISTERED BY THE UNIVERSITY OF TENNESSEE CENTER FOR GOVERNMENTAL TRAINING:

FOR MANY YEARS THE KNOX COUNTY TRUSTEE'S OFFICE HAS MADE INCENTIVE PAYMENTS OF UP TO \$3000 PER FISCAL YEAR, AS AUTHORIZED BY STATUTE, TO

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AGENCY STATEMENT:

EACH EMPLOYEE (INCLUDING THE TRUSTEE) "THAT COMPLETES THE UNIVERSITY OF TENNESSEE CENTER FOR GOVERNMENTAL TRAINING CERTIFIED PUBLIC ADMINISTRATION PROGRAM" IN ADDITION TO REGULAR SALARIES. THIS AUTHORIZATION WAS ALSO CONTAINED IN THE "SALARY SUIT" FILED BY TRUSTEE JOHN DUNCAN III ON SEPTEMBER 30, 2010 CONTAINING A PROVISION AUTHORIZING INCENTIVE PAYMENTS FOR COMPLETING THE "CERTIFIED ADMINISTRATION PROGRAM". THIS SAME AUTHORIZATION WAS CONTAINED IN SALARY SUITS FILED BY SEVERAL PREVIOUS TRUSTEES.

DUNCAN BEGAN TALKING ABOUT THE "CTAS BONUSES" SOON AFTER HIS ELECTION TO THE PEOPLE HE WAS HIRING AS HIS TOP STAFF. SOON AFTER HE TOOK OFFICE DUNCAN HAD HIMSELF, JOSH BURNETT, CHAD TINDELL, KARLO RODRIGUEZ AND KNOX WILLIAMS ENROLLED IN THE "CERTIFIED ADMINISTRATION PROGRAM". IN DECEMBER 2010 DUNCAN INSTRUCTED TRUSTEE FINANCIAL OFFICER DAVID SKINNER TO CAUSE \$3000 "CTAS BONUSES" TO BE PAID TO DUNCAN, JOSH BURNETT, CHAD TINDELL, KARLO RODRIGUEZ, KNOX WILLIAMS AND \$2000 TO BARRY HAWKINS, NONE OF WHOM HAD COMPLETED THE PROGRAM, AT THE SAME TIME IT WAS PAID TO THE TRUSTEE EMPLOYEES WHO HAD COMPLETED THE PROGRAM IN YEARS PAST AND HAD COMPLETED THE WORK REQUIRED FOR THEIR ANNUAL "RECERTIFICATION".

DUNCAN TOLD THE TBI "NOBODY AT THE TIME OF EITHER PAYMENT (2010 AND 2011) TOLD ME THAT IT WAS IMPROPER TO MAKE THE INCENTIVE PAYMENTS PRIOR TO ACHIEVING CERTIFICATION".

SKINNER REPORTED TO THE TBI THAT HE ADVISED DUNCAN THAT ONLY THOSE WHO HAD COMPLETED THE PROGRAM WERE ENTITLED TO PAYMENT. SKINNER WAS TOLD BY TRUSTEE EMPLOYEES PEARL MATHIS AND KRISTEN PHILLIPS THAT THEY HAD TOLD DUNCAN THE SAME THING. SKINNER STATES HE EVEN SHOWED DUNCAN AND BURNETT THE LANGUAGE REQUIRING COMPLETION ON THE CTAS WEBSITE. HE GAVE THEM A RESOLUTION PASSED BY COUNTY COMMISSION SETTING THAT OUT. NEVERTHELESS, DUNCAN ORDERED THE PAYMENTS.

DUNCAN DISCUSSED THE IDEA OF PAYMENTS PRIOR TO COMPLETION OF THE REQUIREMENTS OF THE CERTIFIED PUBLIC ADMINISTRATION PROGRAM WITH OTHER KNOX COUNTY OFFICE HOLDERS AND WAS TOLD BY THEM PAYMENTS COULD NOT BE MADE UNTIL THE REQUIREMENTS OF THE PROGRAM WERE COMPLETED.

IN OCTOBER 2011 A PETITION AMENDING THE TRUSTEE "SALARY SUIT" IN SEVERAL RESPECTS WAS PREPARED BY TINDELL. IT INCLUDED ADDING THE

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AGENCY STATEMENT:

PHRASE "THAT PURSUES WITH REASONABLE DILIGENCE AND/OR COMPLETES" TO THE REQUIREMENTS IN THE "SALARY SUIT" FOR PAYMENT OF CTAS INCENTIVE PAYMENTS. SHORTLY THEREAFTER, CTAS INCENTIVE PAYMENTS WERE MADE AGAIN TO DUNCAN AND HIS TOP STAFF LISTED ABOVE WHO HAD NOT COMPLETED THE REQUIREMENTS FOR THE "CERTIFIED ADMINISTRATION PROGRAM".

DUNCAN TOLD THE TBI THAT HE HEARD GENERALLY ABOUT THE CTAS PROGRAM WHEN HE STARTED THINKING ABOUT RUNNING FOR TRUSTEE AND WAS DOING SOME RESEARCH ABOUT THE OFFICE. HE SAYS FRED SISK TOLD HIM ABOUT THE PROGRAM DURING THE TRANSITION PERIOD. BASED ON SISK SAYING "I COULD GET PAID 'PRETTY QUICKLY' ON CTAS IF I SIGNED UP AND DID THE WORK". DUNCAN SAYS HE ASSUMED FROM "PRETTY QUICKLY" THAT YOU COULD BE PAID BEFORE THE FINAL CAPSTONE PART OF THE PROGRAM "AS LONG AS YOU ULTIMATELY DID THE WORK".

DUNCAN ALSO SAID THAT JOSH BURNETT TOLD HIM THAT ROBIN BENTON HAD TOLD BURNETT THAT IN PRIOR YEARS CTAS INCENTIVE PAYMENTS WERE PAID TO EMPLOYEES BEFORE THE COURSES WERE COMPLETED. DUNCAN ALSO SAID "TALK IN THE COURTHOUSE" WAS THAT OTHER FEE OFFICES PAID THE CTAS INCENTIVE PAYMENTS BEFORE COURSES WERE COMPLETED.

BOTH SISK AND BENTON TOLD THE TBI THAT THEY NEVER TOLD DUNCAN OR ANYONE ELSE THAT CERTIFIED PUBLIC ADMINISTRATION PROGRAM BONUS PAYMENTS COULD OR HAD BEEN MADE BEFORE THE PROGRAM WAS COMPLETED. OTHER ELECTED OFFICIALS IN FEE OFFICES DENY PAYMENTS BEFORE COMPLETION HAVE OCCURRED OR THAT THEY HAD EVER HEARD OF SUCH A THING.

IT SHOULD BE NOTED THAT IN BOTH 2010 AND 2011 DUNCAN ORDERED AND APPROVED, AND SOME EMPLOYEES (INCLUDING DUNCAN) ACCEPTED PAYMENTS OF \$3000 WITHOUT COMPLETING THE "CERTIFIED ADMINISTRATION PROGRAM" AS REQUIRED. THE RESULT IS THAT INCENTIVE PAYMENTS WERE PAID TWICE TO DUNCAN AND MEMBERS OF HIS TOP STAFF BEFORE CERTIFICATION WAS COMPLETED

ZAC BREZINA, WHO WAS HIRED BY DUNCAN SHORTLY AFTER DUNCAN BECAME KNOX COUNTY TRUSTEE, ADVISED THE TBI THAT DUNCAN ASKED BREZINA TO GO ON-LINE AND TAKE CERTIFIED PUBLIC ADMINISTRATION PROGRAM ON-LINE TESTS FOR DUNCAN. BREZINA ADVISED THE TBI THAT HE THINKS OVER SEVERAL MONTHS HE COMPLETED MOST OR ALL OF THE ON-LINE TESTS IN DUNCAN'S NAME. HE ALSO FILLED OUT AN OFF LINE "OPEN BOOK" 100 QUESTION MULTIPLE-CHOICE TEST ON THE TENNESSEE COUNTY GOVERNMENT HANDBOOK

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AGENCY STATEMENT:

SPECIFICALLY REQUIRED FOR THE FIRST PHASE OF THE TRAINING FOR THE PROGRAM FOR BOTH HIMSELF AND FOR DUNCAN. THERE ARE THREE PHASES OF THE TRAINING REQUIRED FOR CERTIFICATION.

BREZINA ADVISED THE TBI THAT IN JANUARY 2012, DUNCAN CALLED BREZINA IN AN AGITATED STATE, THEN CAME TO BREZINA'S HOME. DUNCAN SAID TO BREZINA THAT THERE WAS TALK AROUND THAT BREZINA WAS TAKING THE CERTIFIED PUBLIC ADMINISTRATION PROGRAM TEST FOR PEOPLE IN THE TRUSTEE'S OFFICE. HE SAID DUNCAN ASKED HIM TO SAY THAT BREZINA AND DUNCAN HAD WORKED ON THE TESTS TOGETHER IF ANYONE IN THE THE MEDIA ASKED ABOUT IT. BREZINA TOLD DUNCAN THAT HE WAS NOT GOING TO LIE ABOUT TAKING THE TESTS FOR DUNCAN. DUNCAN'S RESPONSE WAS TO THE EFFECT THAT HE WOULD REALLY BE IN TROUBLE IF BREZINA ACKNOWLEDGED HE TOOK TESTS FOR DUNCAN.

BREZINA TOLD THE TBI THAT DUNCAN WAS VERY UPSET UPON HEARING BREZINA'S STAND ON THE MATTER. THEN DUNCAN ASKED BREZINA TO SHOW HIM HOW TO TAKE THE TESTS ON THE CTAS WEBSITE, WHICH BREZINA DID.

CERTIFIED PUBLIC ADMINISTRATION PROGRAM RECORDS SHOW THAT MOST OR ALL OF THE REQUIRED NUMBER OF ON-LINE TESTS WERE COMPLETED IN DUNCAN'S ACCOUNT IN THE LATE EVENING AND EARLY MORNING HOURS FOLLOWING HIS MEETING WITH BREZINA, 01-20-2012 THRU 01-21-2012.

RESTITUTION:

VICTIM NAME: KNOX COUNTY GOVERNMENT
400 MAIN STREET
KNOXVILLE, TN

COMMENTS:

THE COURT HAD NOT ORDERED THE DEFENDANT TO MAKE RESTITUTION AT THE TIME THIS REPORT WAS COMPLETED.

MITIGATING FACTORS:

NO MITIGATING FACTORS WERE FILED BY THE DEFENSE IN THIS CASE AND NONE WERE DISCOVERED DURING THE COURSE OF THIS INVESTIGATION.

ENHANCING FACTORS:

NO ENHANCING FACTORS WERE FILED BY THE ATTORNEY GENERAL'S OFFICE AND NONE WERE DISCOVERED DURING THE COURSE OF THIS INVESTIGATION.

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PRIOR RECORD:

THE CRIMINAL HISTORY INFORMATION CONTAINED HEREIN SHALL BE USED ONLY FOR LAW ENFORCEMENT PURPOSES OR AS AUTHORIZED BY LAW. THE USE, DISCLOSURE OR DISSEMINATION OF THIS INFORMATION EXCEPT AS AUTHORIZED BY LAW IS STRICTLY PROHIBITED.

COMMENTS:

A KNOX COUNTY RECORD CHECK AND A NATIONAL RECORD CHECK WERE CONDUCTED FOR THIS REPORT. NO PRIOR CRIMINAL HISTORY WAS FOUND.

DUE TO THE DEFENDANT'S AGE, A JUVENILE RECORD CHECK WAS NOT REQUESTED.

STG AFFILIATION:

*** NO GANG AFFILIATION COMMENTS ENTERED ***

EDUCATION:

SCHOOL ATTENDED: UNIVERSITY OF TENNESSEE
CITY: KNOXVILLE STATE: TN
LAST YEAR ATTENDED: 12/15/2004 HIGHEST GRADE: COLLEGE GRADUATE
DEFENDANT'S STATED REASON FOR LEAVING: DEGREE EARNED
VERIFIED REASON FOR LEAVING:
DEGREE: BACHELORS DEGREE
EDUCATION VERIFICATION: UNVERIFIED
COMMENT:

SCHOOL ATTENDED: CHRISTIAN ACADEMY OF KNOXVILLE
CITY: KNOXVILLE STATE: TN
LAST YEAR ATTENDED: 05/31/1999 HIGHEST GRADE: TWELFTH GRADE
DEFENDANT'S STATED REASON FOR LEAVING: COMPLETED SUCCESSFUL
VERIFIED REASON FOR LEAVING:
DEGREE: HIGH SCHOOL DIPLOMA
EDUCATION VERIFICATION: UNVERIFIED
COMMENT:

COMMENTS:

THE DEFENDANT REPORTED THAT HE EARNED A BACHELOR'S DEGREE IN POLITICAL SCIENCE AT THE UNIVERSITY OF TENNESSEE IN 2004. DUE TO HIS AGE, HIS EDUCATION HAS NOT BEEN VERIFIED.

HEALTH INFORMATION:

COMMENTS:

HEALTH INFORMATION WAS NOT REQUIRED BY THE COURT IN THIS CASE.

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FAMILY INFORMATION:

NAME: BROWN, WHITNEY
RELATIONSHIP: SISTER
CITY: KNOXVILLE
AGE:
STATE: TN

NAME: DUNCAN, JR., JOHN
RELATIONSHIP: FATHER
CITY: KNOXVILLE
AGE:
STATE: TN

NAME: DUNCAN, JENNIFER
RELATIONSHIP: WIFE
CITY: KNOXVILLE
AGE:
STATE: TN

NAME: DUNCAN, LYNN
RELATIONSHIP: MOTHER
CITY: KNOXVILLE
AGE:
STATE: TN

NAME: DUNCAN, ZANE
RELATIONSHIP: BROTHER
CITY: KNOXVILLE
AGE:
STATE: TN

NAME: HAMMILL, LINDSAY
RELATIONSHIP: EX-WIFE
CITY: KNOXVILLE
AGE:
STATE: TN

NAME: RICHARDSON, TARA
RELATIONSHIP: SISTER
CITY: KNOXVILLE
AGE:
STATE: TN

COMMENTS:

THE DEFENDANT WAS BORN AND RAISED IN KNOXVILLE. HE IS ONE OF FOUR CHILDREN BORN TO JOHN J. DUNCAN, JR. AND LYNN DUNCAN. HE WAS MARRIED TO LINDSAY HAMMILL FROM 2005-1010. HE MARRIED JENNIFER DUNCAN IN DECEMBER, 2012. HE HAS NO CHILDREN.

THE DEFENDANT LIVES WITH HIS WIFE AT 8621 NUBBIN RIDGE ROAD, KNOXVILLE.

EMPLOYMENT INFORMATION:

EMPLOYER NAME: KNOX COUNTY GOVERNMENT
CITY: KNOXVILLE
STARTING DATE: 09/01/2010
DEFENDANT'S STATED REASON FOR LEAVING:
VERIFIED REASON FOR LEAVING:
OCCUPATION: COUNTY TRUSTEE
EMPLOYMENT VERIFICATION: VERIFIED CORRECT
STATE: TN
ENDING DATE: 07/02/2013
RESIGNED
SALARY: \$0.00/

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EMPLOYMENT INFORMATION:

EMPLOYER NAME: BANKEAST (NOW U.S BANK)
CITY: KNOXVILLE STATE: TN
STARTING DATE: 02/01/2007 ENDING DATE: 08/01/2010
DEFENDANT'S STATED REASON FOR LEAVING: RESIGNED
VERIFIED REASON FOR LEAVING:
OCCUPATION: BANKING OFFICER SALARY: \$0.00/
EMPLOYMENT VERIFICATION: UNVERIFIED

EMPLOYER NAME: PALMETTO GROUP
CITY: WASHINGTON STATE: DC
STARTING DATE: 01/01/2005 ENDING DATE: 02/01/2007
DEFENDANT'S STATED REASON FOR LEAVING: RESIGNED
VERIFIED REASON FOR LEAVING:
OCCUPATION: ASSOCIATE SALARY: \$0.00/
EMPLOYMENT VERIFICATION: UNVERIFIED

COMMENTS:

THE DEFENDANT RESIGNED FROM HIS POSITION AS KNOX COUNTY TRUSTEE ON 7/2/13 AFTER ENTERING A GUILTY PLEA ON THE INSTANT OFFENSE. HE IS NOT CURRENTLY EMPLOYED.

VERIFICATION OF PREVIOUS EMPLOYMENT HAS BEEN REQUESTED BUT NOT RECEIVED.

MILITARY INFORMATION:

THE DEFENDANT HAS NEVER SERVED IN THE MILITARY.

FINANCIAL INFORMATION:

COMMENTS:

FINANCIAL INFORMATION WAS NOT REQUIRED BY THE COURT IN THIS CASE.

SOURCES OF INFORMATION:

DEFENDANT
KNOX COUNTY CRIMINAL COURT CLERK
JIMS/#1154003
NATIONAL RECORD CHECK
JOHN GILL, SPECIAL COUNSEL TO THE DISTRICT ATTORNEY GENERAL

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SUMMARY:

BEFORE THE COURT IS JOHN J. DUNCAN, III, A 33 YEAR OLD MALE WHO PLED GUILTY TO OFFICIAL MISCONDUCT. HE IS APPLYING FOR UNSUPERVISED JUDICIAL DIVERSION. NO PRIOR CRIMINAL HISTORY WAS FOUND. HE IS A COLLEGE GRADUATE WHO RESIGNED FROM HIS POSITION OF KNOX COUNTY TRUSTEE ON 7/2/13 FOLLOWING HIS GUILTY PLEA IN THIS CASE. HE REPORTED THAT HE WAS PREVIOUSLY EMPLOYED WITH BANKEAST AND PALMETTO GROUP IN WASHINGTON, D.C. THE DEFENDANT LIVES IN KNOXVILLE WITH HIS WIFE.

BASED ON THE INFORMATION GATHERED FOR THIS REPORT, THE DEFENDANT APPEARS TO BE A LOW RISK FOR THE SUCCESSFUL COMPLETION OF JUDICIAL DIVERSION OR PROBATION.

PLAN OF SUPERVISION:

SINCE THE AGREED SENTENCE IN THIS CASE IS UNSUPERVISED JUDICIAL DIVERSION OR PROBATION, A PLAN OF SUPERVISION IS NOT OFFERED.

UNLESS OTHERWISE NOTED, THE INFORMATION CONTAINED HEREIN HAS BEEN VERIFIED AND IS ACCURATE TO THE BEST OF THIS OFFICER'S KNOWLEDGE.

Saiab Chaney

PREPARED BY

8/5/13

DATE

E. M. Gyan

SUPERVISOR

8.5-12

DATE