

Elizabethton Police Department



Chief of Police Jason Shaw

136 South Sycamore Street Elizabethton, TN 37643
(423) 542-4141 (423) 542-3768

7-3-2020

During this week the Elizabethton Police Department has been alerted to a social media post inviting participants to meet at the Covered Bridge Park to peaceably protest tomorrow at 5 PM. The Covered Bridge Park and all our parks are open for anyone's use every day from 7 AM to 10 PM by city code. Use of park facilities are open to anyone unless they have been reserved exclusively through the Park and Rec Department and/or City Hall by special event application and permit. As of close of business yesterday, no one or group has reached out to the city to make any reservation to the park.

Over the past several days I and nearly all of the officers and employees of the police department have received calls and visits from concerned citizens and business owners, worried about their safety and the safety of all that may visit downtown Elizabethton on Saturday. They are also worried about those that may come to inflict violence and property damage.

I have sworn an oath and have a duty to do all I can to protect the citizens and visitors of Elizabethton by enforcing the laws of the State of Tennessee, ordinances of the City of Elizabethton, and upholding the Constitution of the United States of America and the Constitution of the State of Tennessee.

It is a fundamental right to assemble and peaceably protest. The officers of the Elizabethton Police Department make daily sacrifices to protect and serve; and take seriously our mission "To Serve and Protect with Integrity and Respect." We will do our best to protect the freedoms and insure safety of all in attendance, equally, reasonably, and without bias. We can only hope and pray that those that harbor hate and wish to harm, provoke violence, destroy property, and otherwise violate the law will stay far away from Elizabethton.

I would like to inform those intending to be downtown Elizabethton Saturday the following Tennessee State laws that are the duty of all law-abiding citizens to follow and the duty of our officers to fairly and equally enforce without bias.

First, I want to address weapons laws in the state of Tennessee. The Constitution of the State of Tennessee in Article 1, Section 26 says "That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have the power to regulate the wearing of arms with a view to prevent crime."

Tennessee Code [Tenn. Code Ann. § 39-17-1307](#), Unlawful carrying or possession of a weapon, [Tenn. Code Ann. § 39-17-1308](#), Defenses to unlawful possession or carrying of a weapon, [Tenn. Code Ann. § 39-17-1302](#), Prohibited weapons, and [Tenn. Code Ann. § 39-17-1351](#), Handgun carry permits address these issues.

In brief summary, in Tennessee, to be compliant with state law, a person must have a handgun permit to carry a loaded handgun openly or concealed in public areas. A handgun permit does not allow for the carrying of a loaded rifle or shotgun in public areas. If one wishes to carry a rifle or shotgun in public the ammunition for the weapon cannot be in the "immediate vicinity of the person or weapon" ([Tenn. Code Ann. § 39-17-1308](#))

I respectfully ask all those peaceful law-abiding citizens that plan on coming to Elizabethton tomorrow to refrain from bringing rifles and shotguns. After conference with the District Attorney's office on these weapons laws and in the interest of public safety, our officers will be watching for persons carrying rifles and shotguns in our public spaces and have the duty to stop and inspect such rifle and or shotgun to insure it is unloaded and check the person for ammunition in the immediate vicinity. Please help us by not coming to town with long arms to display. Lawful permitted carry of handguns is always welcome in Elizabethton, and concealed carry is preferred.

For the past 15 years or more, the Carter County Car Club has been granted permission by the City Council to have a car show every Saturday evening typically from April through October. This special event gives the Car Club access to the three blocks of East Elk Avenue downtown allowing the club to close those three blocks to normal traffic in order to park show vehicles from 5 PM until 9 PM. Council specifically requires that the center lane on East Elk remain unobstructed for emergency vehicles to pass, show vehicles to enter and exit, and pedestrians to walk and view the vehicles. Elm Street between Elk and East E Streets may be used for parking of show cars, but one lane must be open for access. Armed Forces Drive is closed from the alley between East F and Elk and on the North side of Elk to East E Street and a lane of travel must remain open for emergency vehicle access. Sycamore Street remains open with the turn lanes closed to prohibit turning onto East Elk. Post office Street and Riverside Drive remain open to facilitate regular travel of vehicles. Fire hydrants, crosswalks, and associated curb cuts in sidewalks also should not be blocked.

I say all of that to identify the only roadways that are planned to be closed for the car show. Sidewalks are public rights-of-way and are open for public access 24 hours a day. Parking is limited in the downtown area. I need the help and attention of lawful visitors to keep our roadways and streets open. Law abiding peaceful protest can occur in the parks and on the sidewalks.

The Car Club, at the time of this writing, plans to continue with the car show as normal. Every week, especially with good weather, many people from all around come to the car show to peaceably socialize, visit, look at cars, enjoy the setting, and support our local economy. We always have a police presence at the car show, but rarely have an issue needing police attention.

I also wanted to inform the public, especially those that may want to come to Elizabethton, of the following state laws other than the weapons laws above relating to keeping the peace.

Disorderly Conduct- [Tenn. Code Ann. § 39-17-305](#)

Obstructing a Highway or other passageway- [Tenn. Code Ann. § 39-17-307](#)

Assault- [Tenn. Code Ann. § 39-13-101](#)

Aggravated Assault- [Tenn. Code Ann. § 39-13-102](#)

Reckless Endangerment- [Tenn. Code Ann. § 39-13-103](#)

Definition of Riot- [Tenn. Code Ann. § 39-17-301](#)

Riot- [Tenn. Code Ann. § 39-17-302](#)

Aggravated Riot- [Tenn. Code Ann. § 39-17-303](#)

Inciting to riot- [Tenn. Code Ann. § 39-17-304](#)

Harassment- [Tenn. Code Ann. § 39-17-308](#)

Civil rights intimidation- [Tenn. Code Ann. § 39-17-309](#)

Thank you for your time and consideration,

