

111 Philip Road
Oxford, MS 38655
May 28, 2021

Mississippi Ethics Commission
P.O. Box 22746
Jackson, MS 39225

Complaint: Robyn Tannehill, Mayor of Oxford

Dear Mr. Hood:

Please consider this letter a formal Complaint of Ethics Violations by Robyn Tannehill in her capacity as Mayor of Oxford. This complaint alleges that because the husband of the Mayor of Oxford derives significant income (in excess of \$2,500.00) from cases involving the Oxford Police Department and the Metro Narcotics Unit (a local inter-governmental entity jointly operated by the City of Oxford, Lafayette County and the University of Mississippi), the participation of Mayor Tannehill in discussions and decisions made in her official capacity, whether separately or together with the Oxford Board of Aldermen, concerning the Oxford Police Department and or the Metro Narcotics Unit are in violation of Section 25-4-105(1), Miss. Code 1972, Section 25-4-101, and Section 25-4-105(5).

LAW

The pertinent Ethics in Government Laws to be considered here are as follows:

Section 25-4-101, Miss. Code of 1972.

The legislature declares that elective and public office and employment is a public trust and any effort to realize personal gain through official conduct, other than as provided by law, or as a natural consequence of the employment or position, is a violation of that trust. Therefore, public servants shall endeavor to pursue a course of conduct which will not raise suspicion among the public that they are likely to be engaged in acts that are in violation of this trust and which will not reflect unfavorably upon the state and local governments.

Section 25-4-103, Miss. Code of 1972.

(c) "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, holding company, self-employed individual, joint stock company, receivership, trust or other legal entity or undertaking organized for economic gain, a nonprofit corporation or other such entity, association or organization receiving public funds.

(d) "Business with which he is associated" means any business of which a public servant or his relative is an officer, director, owner, partner employee or is a holder of more than ten percent (10%) of the fair market value or from which he or his relative derives more than Two Thousand Five Hundred Dollars (\$2,500) in annual income or over which such public servant or his relative exercises control.

(i) "Income" means money or thing of value received, or to be received, from any source derived, including but not limited to, any salary, wage, advance, payment, dividend, interest, rent, forgiveness of debt, fee, royalty, commission or any combination thereof.

(l) "Pecuniary benefit" means benefit in the form of money, property, commercial interests or anything else the primary significance of which is economic gain. Expenses associated with social occasions afforded public servants shall not be deemed a pecuniary benefit.

(p) "Public servant" means:

(i) Any elected or appointed official of the government;

(ii) Any officer, director, commissioner, supervisor, chief, head, agent or employee of the government or any agency thereof, or of any public entity created by or under the laws of the state of Mississippi or created by an agency or governmental entity thereof, any of which is funded by public funds or which expends, authorizes or recommends the use of public funds; or

(iii) Any individual who receives a salary, per diem or expenses paid in whole or in part out of funds authorized to be expended by the government.

(q) "Relative" means:

(i) The spouse of the public servant;

(ii) The child of the public servant;

(iii) The parent of the public servant;

(iv) The sibling of the public servant; and

(v) The spouse of any of the relatives of the public servant specified in subparagraphs (11) through (iv).

Section 25-4-105, Miss. Code of 1972.

(1) No public servant shall use his official position to obtain, or attempt to obtain, pecuniary benefit for himself other than that compensation provided for by law, or to obtain, or attempt to obtain, pecuniary benefit for any relative or any business with which he is associated.

(5) No person may intentionally use or disclose information gained in the course of or by reason of his official position or employment as a public servant in any way that could result in pecuniary benefit for himself, any relative, or any other person, if the information has not been communicated to the public or is not public information.

FACTS

As the Mayor of Oxford, Robyn Tannehill participates in discussions and official decisions as Mayor governing the Oxford Police Department (OPD) and the Metro Narcotics Unit. The Mayor participates in decisions concerning personnel, budgetary and administrative support for OPD operations as well as the Narcotics Unit, which is a local inter-governmental entity with funding provided by the County and City governments and the University of Mississippi charged with investigating and pursuing the prosecution of local drug crimes.

More specifically, as relates to OPD, Mayor Tannehill in her executive role oversees the appointment/retention of personnel, manages human resources issues and is involved in budgetary and administrative decisions related to the functioning of OPD. Further, Mayor Tannehill routinely reviews videos of OPD stops and arrests in her oversight role as executive, both as a means of personnel oversight as well as in response to citizen complaints. Finally, Mayor Tannehill created a Commission on Police Transparency and has attended meetings where the oversight of OPD is a recurring topic of conversation.

More specifically, as relates to the Metro Narcotics Unit, Tannehill has:

1. engaged over many years in personnel discussions and decisions, as evidenced by her participation in a press conference held by the City of Oxford in December 2015 ([Drug unit in spotlight - The Oxford Eagle | The Oxford Eagle](#));
2. engaged in intergovernmental discussions with the University and County regarding the operation and funding of the Metro Narcotics Unit, including

actively lobbying the University to continue such funding during meetings held with University administrators; and

3. repeatedly spoken to members of the community about the Metro Narcotics Unit, including advocating for continued funding for the Unit in a recorded forum by the League of Women Voters on April 27, 2021 ([League of Women Voters of North Mississippi Oxford Mayor Forum - Zoom](#)).

The law practice of Rhea Tannehill, husband of Mayor Robyn Tannehill, receives significant income in excess of \$2,500 from his representation of persons who become criminal defendants through interactions and charges initiated by OPD and the Metro Narcotics Unit. This, at a minimum, creates an appearance of impropriety.

Moreover, on April 7, 2021, Rhea Tannehill revealed in conversation with members of the local Bar that he was aware of missing funds from the Metro Narcotics Unit, referring to such as “old news,” though such information had only been disclosed to the public in reporting published the day before, on April 6, 2021 (see, [Lafayette County Drug Unit ‘Missing’ Thousands Seized From UM Students, Residents \(mississippifreepress.org\)](#)). This disclosure creates, at minimum, public suspicion regarding the sharing of non-public information by Mayor Tannehill.

Finally, Advisory Opinion No. 16-010-E makes clear that a conflict arises when a practicing attorney, or his/her relative, participates in personnel, budgetary and administrative decisions over a law enforcement agency/unit while simultaneously actively engaging in the practice of law in cases involving said agency/unit.

Barbara Y. Phillips