

Community Oversight Board Meeting
MEETING MINUTES
Wednesday, January 27, 2021 – 4:00 PM to 6:00 PM
WebEx Meeting

1. Call to Order

- **Andres Martinez (*Chair*)**, called the meeting to order at 4:00 p.m.
- **Board Members in Attendance:** *Ashlee Davis, Andrew Goddard, Jamel Campbell-Gooch, Phyllis Hildreth, Walter Holloway, Timothy Hughes, Brenda Ross, Matthew Sweeney, and Shawn Whitsell.*
- **Board Members Absent:** *Adele Lewis*
- **Others in Attendance:** *Jill Fitchard (Community Oversight Board Executive Director), Chris Clausi (Community Oversight Board Assistant Executive Director), R. Todd Pinckley (Community Oversight Legal Advisor), Community Oversight Staff.* The meeting was publicly broadcast contemporaneously.

2. Establish Quorum and Reading of Appeals Statement

- A quorum was established for the meeting and Chair Andres Martinez read the appeals statement.

3. Electronic Meetings Statement

- Todd Pinckley explained that due to the occurrence of the COVID-19 pandemic, a vote was needed pursuant to Governor Lee’s Executive Order 71 to conduct the following Community Oversight Board (“COB”) meeting electronically.
- Matthew Sweeney moved to approve the electronic meeting. Phyllis Hildreth provided a second on the motion. The electronic meeting was unanimously approved.

4. Approval of the Minutes

- Matthew Sweeney moved to approve the December 16, 2020 minutes. Brenda Ross provided a second on the motion. The December 16th minutes were unanimously approved.

5. Chair Remarks

- Chair Martinez read and addressed the letter that he sent to Chief Drake on January 12, 2021, regarding the insurrection at the Capitol on January 6th, police departments launching investigations concerning police officer involvement in the insurrection, confirmation that MNPd has not launched investigations related to the matter and what the consequences would be if any officer was found to have participated in the insurrection.
- Chair Martinez addressed the impact that such actions have on the immigrant community in Nashville. In 2019, MNCO completed a Policy Advisory Report examining local law enforcement agencies and the Immigration Act per Chair Martinez's request.
- Chair Martinez addressed the FOP endorsing former President Trump on their social media page and how this affects the communities view of police officers being neutral parties.
- Chair Martinez informed the Board that Chief Drake responded promptly to his letter stating that he took the concerns seriously and that the Department was not aware of any involvement by MNPd officers.
- News Channel 4 presented a story regarding the Community Oversight Board's objectivity, transparency and fairness based upon a social media post by a member. Chair Martinez restated the Board's impartial mission and purpose. He also explained that the COB has no role in criminal cases, which was the general subject of the news report. He also reminded Board members that any media questions or concerns are to be brought to his attention.
- Member Davis requested that the Chair remarks be posted to the website and shared on social media. Member Davis discussed being proactive by researching the current state of the police department to determine attachment to supremacy groups.
- The Board also briefly discussed privacy and security concerns relating to members and staff and whether addresses and telephone numbers could be kept confidential. Director Fitchard also shared that during the year she has served as Director she has received threatening letters in the mail. The general consensus was that the information as it related to Board members was already public. Legal Advisor Pinckley was asked to research and advise the Board whether there is a way to discuss such concerns in a non-public form. He will advise.

6. Executive Directors Report

- Director Fitchard advised that a police officer involved shooting had occurred between approximately 2:30 pm and 3:00 pm this afternoon. Investigator Johnson and Assistant Director Clausi are on the scene to investigate.

- The Director advised that she had received multiple calls from community members about the Channel 4 news coverage of a social media post by a Board member about the trial of officer Delke and the Board’s charge to investigate matters impartially.
- Director Fitchard provided highlights from her written report to the Board.
 - The MNCO office, located in the Washington Square Building, did not sustain direct impact during the Christmas Day Bombing. However, the building did suffer significant damage to the 214 side, which faces Bank Street. The property manager lifted the stay-away directive as the building is structurally sound.
 - AD Clausi has approval to move forward on filling the open investigator position.
 - MNCO staff continue to participate in various webinar trainings. Staff members attended a webinar on “Policing, Racial Justice, and Abolition Movements” hosted by the American Sociological Association’s Crime, Law and Deviance section.
 - The MNCO received four investigative complaints and assisted with seven non-complaint calls since the last Board meeting in December.
 - Ms. Thompson continues to keep our social media platforms up-to-date and is staying abreast of community events that we can partner with to share our services. Director Fitchard was a guest panelist and an attendee for the Public Safety Committee Community Meetings regarding License Plate Readers (LPR’s). The meetings were open to the public and included Criminal Justice Stakeholders, Human Rights Advocates, Community Members, and Subject-Matter Experts.
 - The MNCO Research Analysts are working on the Research Advisory Report initiated by the NAACP. The report will focus on the hiring procedures of the Metro Nashville Police Department. The Analysts have interviewed Deputy Chief Lokey, MNPd HR director Sue Bibb, and Lt. Hampton, who manages Recruitment and Backgrounds. Dr. Vielehr attended two LPR Public Safety meetings in January and a special committee meeting on Prison System Data. The research team, along with Ms. Brensey Thompson, have worked diligently on the creation of the 2020 COB Annual Report during the month of January.
 - The following precincts now have had Body Worn Cameras and In Car Camera deployments: West Precinct, East Precinct, County Wide Traffic, TITANS (3 of 6 teams), Special Response Team, Office of Community Engagement & Partnerships. An overview was given of the newly created TITANS precinct which is focusing on violent crimes. The current MNPd recruit class, consisting of fifty-seven recruits, will receive BWC training and equipment shortly. Planning is underway to begin deployment in the Madison and

North Precincts as equipment is received from the vendor. To date—320 active employees are equipped with BWC's and 183 MNPd vehicles are equipped with ICC's. 163 Community Service Bureau Lieutenants and Sergeants are trained. The wireless infrastructure build-out for ICC upload is now complete at all MNPd precincts and to date there have been no unresolved issues with equipment or storage capabilities

- Friday, January 22— ED Fitchard received the response dated December 22, 2020 from MNPd to the COB's first PRR. The letter was written by Office of Professional Accountability Director Kathy Morante on behalf of Chief John Drake. The letter states that the Board's recommendation was carefully reviewed and accepted, although no policy change would occur. The letter stated that the officer's supervisor informed him in writing that he should have taken a report and that he should have responded to the hospital to take a statement from the Complainant.
 - On Friday, January 22, 2021, the After-Action Review Board, of which ED Fitchard is a member, to discuss the process and expectations of the panel with regard to the Christmas Eve Bombing. The Members were greeted by Chief Drake as he shared his thoughts on the importance of the Board's purpose and reiterated his support of having a review Board that included members outside of MNPd. He is looking forward to the final report and welcomes any changes in procedures, if suggested, to keep MNPd in line with best practices and assist with making MNPd the best it can be. The Review Board will meet weekly until the process is complete. The next meeting is January 29th at 3:00pm.
 - ED Fitchard received an invite from Deputy Chief Michelle Richter, who will lead the MNPd's Investigative Services Bureau, for an introductory meeting and discussion about the different divisions she commands and the program and services that are offered.
 - ED Fitchard will attend the MNPd Force Review Board hearing on February 4, 2021 at 10:30 am.
 - ED Fitchard met with the MNCO Executive Team to discuss the FY22 budget preparation and the budget is in good standing.
- Per Member Campbell -Gooch's request, Director Fitchard will email Captain Lara and Deputy Chief Mike Haggar for more information on the new TITAN team and provide the information to the Board.

7. Discussions

- The Board discussed the MNPd Response to the COB's Proposed Resolution Report. Although the MNPd did not make any change in policy in response to the PRR (as noted above), it did issue a roll call training memo, noting the need to follow up on investigations and to take

supplemental statements when witnesses have been transported from the scene of the accident and therefore are unavailable to the officer at the scene at the time of the investigation.

- License Plate Readers.
 - Chair Martinez and Director Fitchard have attended information sessions hosted by Council Member Gamble. Two license plate reader bills remain; Chair Martinez stated that he does not feel that there has been adequate community engagement regarding the bills.
 - While the sessions have been informative there has not been an opportunity for community input. The bills should be deferred indifferently until community engagement can begin.
 - Dr. Vielehr stated that both bills (581 and 582) are deferred until the February 2 Metro Council meeting for second reading. Dr. Vielehr discussed the bills in detail.
 - Member Campbell- Gooch asked whether the bills addressed where the license plate reader's (LPR's) data would be stored, as they should not be stored with law enforcement. Dr. Vielehr answered that the bills did not state where the data would be stored.
 - Member Hughes asked that the difference between the two LPR bills be further explained to avoid public confusion over the two.
 - Board Members discussed the lack of community input, funding of the LPR's and the speed at which the bills are moving.
 - Member Davis moved that Chair Martinez send a letter to Metro Council requesting that the bill be deferred for ninety days in order to allow time for further study and community engagement. Member Whitsell provided a second. The motion was unanimously approved.

- 2020 Annual Report -Dr. Peter Vielehr, Lead Research Analyst
 - Liz Orozco, Brensey Thompson and Dr. Peter Vielehr have been working on the COB's Annual Report which is due to the State Legislature on February 1st. A draft was provided to the Board for review, with comments requested by Thursday night (January 28th) by email to Dr. Peter Vielehr.
 - The report highlights the Board's accomplishments and challenges for the year.
 - The report will be professionally printed and sent to all Board members and to the state legislature.

- COB Vacancy Announcements- Todd Pinckley, Legal Advisor
 - The COB vacancy announcement has been posted on the COB website for the four open seats.
 - February 2nd 4:30 pm is the deadline for nomination submissions to the Metro Council. February 9th is the deadline for nominee information / questionnaire completion. The tentative date to appear before the Rules Confirmation and Public Elections Committee and for the elections is February 16, 2021.

8. Public Comments

- An unnamed community member left a voice mail stating that the Board was not meant to be a platform for the Board members. The caller requested that the Board consider removing Member Campbell- Gooch from holding a Chair position, due to him not being impartial.

9. New Business / Announcements

- Extensive discussion was held over the proposed state legislation that would require members of any law enforcement oversight body to complete their local citizens police academy within six months of appointment or the Board losing its authority until all members are in compliance. The Bill currently has no senate sponsor. The Board will coordinate its response with the Mayor's office and the Nashville Legislative delegation and with the several similar organizations across the state. Matter to be discussed in further detail as next Executive Committee meeting. There are issues of practicality and authority to consider, such as when training is offered and alternatives allowed by the Charter.
- Member Davis shared a report on behalf of Chief Drake regarding the Mayor's Policing Policy Commission. The report was forwarded to Chair Martinez, Director Fitchard, and the Board's members. Member Davis wants this information shared with the public. Chair Dean has shared the report as well noting that it was preliminary. Actions on the recommendations will be tracked on the Nashville.gov website.
- Member Davis spoke on her term ending and urged the public to apply for upcoming COB vacancies.
- Member Sweeney stated that the Rules Committee met earlier this week as a part of the annual review the Board's Rules and Bylaws. The committee will meet again to review tentative suggested changes, which then will be brought to the Board for consideration. Member Sweeney suggested that a new Chair be appointed to the Rules Committee to take his place.

- Member Sweeney's term on the Board ends with this meeting and with that, a new Board Secretary will need to be selected, as he is not seeking re-election. Exercising his by-law prerogative, Chair Martinez appointed member Goddard as Secretary of the COB.
- Director Fitchard thanked the members that have served for their support and encouragement in her leadership role.

10. Adjourn

Member Goddard moved to adjourn the meeting with Member Sweeney providing a second. The motion was unanimously approved. The meeting adjourned at 5:43 pm.