

Community Oversight Board Meeting
MEETING MINUTES
Wednesday, April 28, 2021 – 4:00 PM
WebEx Meeting

1. Call to Order

- **Andres Martinez (*Chair*)**, called the meeting to order at 4:00 p.m.
The meeting was publicly broadcast contemporaneously.
- **Board Members in Attendance:** *Joe Brown, Drew Goddard, Jamel Campbell-Gooch, Arnold Hayes, Phyllis Hildreth, Walter Holloway, Stephanie Kang, Makayla McCree, Shawn Whitsell and Mark Wynn.*
- **Board Members Absent:** *NA*
- **Others in Attendance:** *Jill Fitchard (MNCO Executive Director) Chris Clausi (MNCO Assistant Executive Director), Alex Dickerson (Legal Advisor), Carlos Lara (MNPD Chief Diversity Officer), and Community Oversight Staff.*

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

- Alex Dickerson stated that a requirement of the Executive Order is that participants must identify themselves when speaking, if their camera is turned off. Governor Lee’s Executive Order 71 will not be extended, and in person meetings will be conducted going forward.
- Alex Dickerson explained that due to the COVID-19 pandemic, a vote was needed pursuant to Governor Lee’s Executive Order 71 to conduct the Community Oversight Board (“COB”) meeting electronically.
- Drew Goddard moved to approve the electronic meeting, Arnold Hayes seconded the motion, and it was unanimously approved.

4. Approval of the Minutes

- Phyllis Hildreth moved to approve the March 24, 2021 minutes. Shawn Whitsell seconded the motion, and it was unanimously approved.

5. New Member Welcome and Introduction

- Chair Martinez welcomed new Board Member Mark Wynn.
- Mark Wynne introduced himself, noting that he is a retired MNPD Lieutenant Detective who currently works as a consultant to the Justice Department. He explained the programs and divisions that he participated in during his time with MNPD.

6. Chair Remarks

- Chair Martinez expressed his gratitude for organizations and community members that held a 24-hour peace rally. Nashville also had its 2nd fatal police shooting.
- Chair Martinez spoke about the letter that he sent to Council regarding License Plate Readers (LPR), and there was Board discussion of the letter. The letter focused on two main points:
 1. The lack of community engagement informing the community about the legislation, and the concern that every community member has the potential to have their license plate ran through the system.
 2. Raising awareness of the nonprofit organization Safer Nashville, the organization that has offered to donate LPR equipment to the city. Chair Martinez requested more transparency regarding the organization.
- Chair Martinez gave his support to the transgender community members that have been mistreated by law enforcement.
- Member Hayes stated that the letter to Council was very well written and contained great information.
- Member Campbell-Gooch also gave his appreciation regarding content that was addressed in the letter.

7. Executive Directors Report

- Director Fitchard provided the following highlights from her written report to the Board.
 - May's Board meeting and Executive Committee meeting will be in person. A room has been reserved for the Board meeting, and members will be advised on the location for the Executive Committee meeting when a room has been reserved.
 - The office remains closed with staff members going into the office as needed. Plans are in place for staff members to transition back into the office on a full-time basis.

- Research Analyst Liz Orozco will be going to work for Metro Human Relations. Her last day will be May 14th. MNCO also has open positions for the Legal Advisor. There are already 57 applicants for the Investigator position and 14 applicants for the Legal Advisor position. After HR reviews the applicants, interviewing will begin.
- The staff is continuing to take online/remote training.
- The staff is working on updating brochures to provide to the public and continuing to engage the public through social media outlets. Summer events are in the process of being planned, with hopes to connect with other agencies.
- ED Fitchard is scheduled to be a guest panelist with Neighbor 2 Neighbor's C4N program on Saturday, May 15th. Information can be found on the COB website.
- The Research Team is working on the Policy Advisory Report on the hiring practices of MNPd.
- MNCO has received nine investigative complaints since the last Board meeting. The Investigative Team completed eleven records requests and assisted with ten non-complaint calls. Over 200 hours of investigative work has been completed since the last Board Meeting.
- On Saturday April 24th, an officer involved shooting in the North Nashville/ Bordeaux area. ED Fitchard, AD Clausi, and Investigator Johnson all responded and were taken to the inner perimeter of the scene. Multiple updates were given by MNPd officials, Captain Lara and Chief Drake. The body camera was reviewed at MNPd headquarters that same night. TBI took over the scene and ED Fitchard released a press statement.
- Body Worn Camera Update - Deployments have been completed for the West, East, North, Madison Precincts, Field Training Officers, TITANS (four of the six teams), County Wide Traffic, Training Division, Special Response Teams, MDHA Taskforce and the Office of Community Engagement and Partnership. There are 702 active employees equipped with body cameras, and 367 vehicles equipped with cameras. Cameras are being deployed to Midtown Hills, Central and the K9 unit.
- After Action Review Committee on the Christmas Day Bombing - The meetings should be ending soon with a report to be prepared. A meeting scheduled for April 30 to discuss the report.
- ED is scheduled to have a force review meeting on May 4th.
- Five Board members are currently enrolled in MNPd's Police Academy Training. There will be a fall training session, with two classes mid-summer.

- Metro Human Resources is providing mandatory Board Member Training Courses for Sexual Harassment Prevention and Diversity Inclusion. They started on April 28, and the next sessions will be May 26 and June 30.
- Noted that budget reductions in the budget for this fiscal year did not need to be completed.
- ED Fitchard attended three community panel meetings regarding MNPDP's hiring and recruitment practices. One more meeting is scheduled.
- The Rules and Bylaws Committee has not met since January. There were issues at the last meeting that need to be resolved with a Committee vote. A Committee meeting will be scheduled for May.
 - Chair Martinez noted that the Chair of the Rules Committee was vacant and asked for a volunteer. Member Goddard volunteered, and Chair Martinez appointed him Chair of that Committee.
- The Education Committee needs to meet and select a Chair, and discuss future training efforts and collaboration efforts with MNPDP's training division.
- ED Fitchard noted she received an MOU from TBI and will be reviewing it.
- ED Fitchard noted there will be several Proposed Resolution Reports to review at next month's Board meeting, and the PRR approved at last month's meeting was sent to Chief Drake and waiting for his response
- Member Hayes suggested that the Body Camera Report from MNPDP's number of cameras be replaced with percentages for a better review. Captain Lara stated that he would take care of the request.
- Member Wynn requested an overview/explanation of the purpose of Education Committee, which was provided by ED Fitchard. Member Wynn stated that he would like to extend his assistance where needed with the Education Committee.
- Board members had further discussion, including the following:
 - Member Campbell-Gooch asked if there is a pattern with the complaints. AD Clausi discussed the complaints in further detail explaining that the complaints received are about police interactions and have to do with behavior issues. Also, there is an increase this year in Director-initiated cases compared to last year. ED Fitchard explained that any Use of Force involving a police officer will be investigated, and any egregious police behavior will warrant a Director initiated complaint.

- Member Campbell- Gooch asked how community members could make complaints regarding their license plates being constantly caught on camera? ED Fitchard explained that the community needs to be educated on the process to allow them to have a better understanding of the License Plate Reader's impact.
- Member Holloway expressed his concern regarding License Plate Readers being used disproportionately within different communities.
- Member Hildreth thanked Chair Martinez for his letter to Council, welcomed Mark Wynn and urged community members to view updated documents on the COB website.
- Member McCree thanked ED Fitchard for opening a Director Initiated investigation into the two juveniles that were recently detained by MNPd officers and asked if any information that could be shared. ED Fitchard stated she could not provide a breakdown of the case because it is an active investigation, active investigations cannot be discussed beyond COB staff, and this is the first juvenile complaint received by MNCO.

8. Policy Advisory Report Presentation

- Liz Orozco gave a PowerPoint presentation to the Board on the draft Policy Advisory Report on MNPd Hiring Procedures. The items addressed in the presentation included research questions & scope, methodology & data, findings, recommendations. The recommendations stated in the Report are:
 - Recommendation #1: The Personal History Statement should include law-enforcement specific questions for applicants who have been law enforcement officials in another jurisdiction. This should include questions about unnecessary use of force, bias-based policing, and any disciplinary actions.
 - Recommendation #2: Question #99 of the Personal History Statement asking whether applicants have a prejudice that will impact their job performance should be changed to a series of questions focused on discriminatory attitudes and behaviors.
 - Recommendation #3: MNPd should evaluate reasons for Civil Service Testing no-shows through surveys and interviews with individuals who did not show up to testing. When impediments are identified, changes to the process should be considered and if made, an evaluation plan should be in place to assess whether the change was effective. MNPd should aim to have at least 50% of invited applicants take the Civil Service Tests.
 - Recommendation #4: MNPd should publicly release their planned evaluation report focusing on whether changing the physical agility section of the Civil Service Test reduces gender and racial disparities in attending and passing the test.

- Recommendation #5: MNPB should work to increase the diversity of the Recruitment Section's background investigators.
 - Recommendation #6: MNPB should review, at least annually the demographics of applicants that have been assigned as background investigators and the number of disqualifications resulting from each investigator to identify potential biases. One investigator having higher disqualifications rates for a specific demographic group than other investigators does not necessarily indicate bias, but it suggests that an in-depth audit is needed.
 - Recommendation #7: The Recruitment Section's SOPs should address the timing of the social media review in the hiring process and the procedures used by MNPB personnel for reviewing social media content. This should include a standard solicitation process regarding applicant social media information. Applicants who refuse to supply social media accounts should be disqualified from the hiring process.
 - Recommendation #8: SOPs should require that if an applicant is the subject of a criminal investigation after review by the DCOP Panel-regardless of the investigations outcome, the DCOP Panel must review the incident in the context of the applicant's full background investigation and re-vote on the applicant's qualification status.
 - Recommendation #9: MNPB should add the Executive Director of the COB as a voting member to the DCOP Panel.
 - Recommendation #10: The Recruitment Section's SOPs should address conflicts of interest of the Deputy Chiefs Police Panel and direct panelist to recuse themselves from deliberating or voting on an applicant's qualifications when they have a personal or business relationship with the applicant.
 - Recommendation #11: MNPB should evaluate the pre-academy employment program to determine whether it improves training academy outcomes and early employment outcomes compared to those who did not participate in the program and release a public report on the program.
- Board discussion of this draft Policy Advisory Report followed, which included the following:
 - The next steps for the Policy Advisory Process were discussed. Chair Martinez asked if call-in comments were allowed for the in-person meeting. Alex Dickerson stated that was an ITS issue and didn't see a legal issue with call-in comments.
 - Member Campbell-Gooch asked why the NAACP requested the report. Liz Orozco explained a current MNPB police officer was involved in a shooting before he was hired by the MNPB. Initially criminal charges were not filed but charges were brought in the shooting case after he had been hired as an MNPB officer.

- Member Campbell-Gooch asked for clarification on Recommendation #6 and Liz Orozco went into greater detail on that particular recommendation.
- Member Holloway requested the number of African Americans that recently graduated from the Police Academy. Captain Lara will get the exact demographics and provide the information to ED Fitchard.
- Member Hayes complemented the staff on the report.
- Member Campbell-Gooch moved to approve the report for public comment, Member McCree seconded the motion, and it was unanimously approved.

9. Public Comments

- None

10. New Business / Announcements

- NACOLE trainings are available on their website, with a training being held May 18th at 1:00 pm.

11. Adjourn

Member Hayes moved to adjourn the meeting, Member Goddard seconded the motion, and it was unanimously approved. The meeting adjourned at 5:24 pm.

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