

**Metropolitan-Nashville and Davidson County**  
**COMMUNITY OVERSIGHT BOARD**

FOR IMMEDIATE RELEASE



**CONTACT:**

**Ashlee Davis**

Community Oversight Board, Chair

Phone: (615) 669-0596

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**NASHVILLE, Tenn. (March 4, 2019)** – The Metro-Nashville Community Oversight Board today announced the adoption of a resolution opposing Tennessee General Assembly House Bill 0658/Senate Bill 1407.

**Resolution Opposing Tennessee General Assembly House Bill 658/Senate Bill 1407**

**Ashlee Davis,**  
**Chair**

The Metro Nashville Community Oversight Board (“COB”) strongly opposes HB 0658 / SB 1407.

**Jamel Campbell-Gooch,**  
**1<sup>st</sup> Vice-Chair**

WHEREAS, Amendment 1 passed overwhelmingly by a margin of 59 percent to 41 percent in an open election which had historically high turnout; and provides community members an opportunity to help improve their relationships with law enforcement in a manner which they deem most effective for their particular communities.

**Phyllis Hildreth,**  
**2<sup>nd</sup> Vice-Chair**

**Bob Cooper,**  
**Secretary**

WHEREAS, approval of the COB was a direct result of decades of grass-roots organizing in the neighborhoods whose citizens have the most contact with the police (and historically the least representation in government) and was specifically designed to ensure that those citizens and neighborhoods would always have representation on the board;

**Walter Holloway**

**Adele Lewis**

**Danita Marsh**

**Andres Martinez**

**Brenda Ross**

**Matthew Sweeney**

WHEREAS, the voters of Davidson County have created the COB to exercise independent authority to investigate allegations of misconduct by the Metropolitan Nashville Police Department, offer and implement remedies to ensure police accountability, and issue advisory and resolution reports to institutions involved in public safety and the administration of justice in Nashville and Davidson County;

**Emmett Turner**

WHEREAS, a fully functioning community oversight board:

- Improves community relations by fostering communication between the community and the police;
- Reduces public concern about high-profile incidents involving police;

- Assists a jurisdiction in liability management and reduces the likelihood of costly litigation by identifying problems and proposing corrective measures before a lawsuit is filed;
- Provides public officials with the opportunity to demonstrate their desire for increased police accountability and the need to eliminate misconduct; and
- Increases trust and mutual safety in the community,

WHEREAS, this proposed law would:

- Prevent community members from bringing forth complaints to an independent and impartial board;
- Take away subpoena power from the Community Oversight Board which is available to many Metro agencies and that has been possessed by the Knoxville Oversight Board for some twenty years without objection;
- Eliminate equity provisions that ensure the inclusion of the most marginalized community members, including communities that lack adequate resources to navigate police/community relations;
- Restricts Community Oversight Board membership to registered voters, which limits participation by members of the community who are disenfranchised from the voting process;
- Prevents transparency in use-of-force investigations;
- Undermines the voting rights of Nashville residents and representative government of Nashville and other cities; and
- Undermines Tennessee's long-standing tradition of local governance.

WHEREAS, the Metro Charter, through Section 18.10 empowers the COB to compel the attendance of witnesses and production of records for an investigation or hearing and thereby:

- Encourages fairness and transparency;
- Gives the board the ability to obtain necessary information for conducting investigations,
- Empowers the board to make the best decisions with as much comprehensive information as possible; and
- Allows the Board to compel testimony and production of records by third-party witnesses when needed to determine what happened during an incident (e.g. the Board could compel a business located at or near the site of an incident to turn over its surveillance video).

WHEREAS, the proposed bills bring injury to people who are disenfranchised from the voting process. This would exclude some who may have unique insights and skills to bring to such a board; and at the same time, it also undermines the voting rights of 134,000 Nashville residents who voted for this COB.

WHEREAS, the COB is designed for the equal protection of all residents

including law enforcement officers who may feel unfairly accused, thus the foundation of the COB and other community oversight boards across Tennessee are rooted in the Federal and State Constitutions, particularly their equal protection provisions. The proposed law would apply to all 95 counties and hundreds of municipalities totaling nearly 6.8 million Tennesseans, and thereafter limiting the power of future Tennesseans to determine within their local jurisdictions how police should be held accountable to the citizens of those jurisdictions;

The COB hereby RESOLVES opposition to the following provisions of HB 658 / SB 1407:

Section 1(b), which removes the COB's power to issue subpoenas for documents or to compel witness testimony;

Section 1(c), which requires the COB's employees and members to be registered voters of the jurisdiction for which the COB is established; and

Section 1(d), which removes COB membership limitations based upon demographics, economic status, or employment history.

AND FURTHER RESOLVES,

We implore State Legislators not to silence the very people they have sworn to dutifully represent. The people have spoken. Let them be heard.

ADOPTED this first day of March, 2019, at the meeting of the Metro Community Oversight Board Executive committee, as directed by the full board at its meeting on February 26, 2019.