

Community Oversight Board Emergency Meeting

MEETING MINUTES

Wednesday, September 11, 2019 – 4:00 PM to 6:00 PM

Howard Office Building – Sonny West Room

700nd Ave S, Nashville, TN 37210

1. Call to Order

- Ashlee Davis, Chair, COB called the meeting to order at 6:02 p.m. and announced the presence of a quorum for conducting business.
- **Board Members in Attendance:** Ashlee Davis (Chair), Robert Cooper, Adele Lewis, Jamel Campbell-Gooch (Vice-Chair), Phyliss Hildreth, Walter Holloway, Danita Marsh, Andres Martinez, Brenda Ross, Matthew Sweeney, and Emmett Turner.
- **Others in Attendance:** William Weeden (Community Oversight Board Executive Director), Jill Fitchard (Community Oversight Board Assistant Executive Director), Community Oversight Staff and Members of the Public

2. Establish Quorum

- A quorum was established by Chair Davis.

3. Approval of Minutes

- Approval of the minutes will be moved to October 2, 2019. Chair Davis explained that public comments would take place at the October 2, 2019 meeting and instructed the public on how they could participate as speakers.

4. MNCO response to Sept. 7th Broadway Incident

- Director Weeden explained that an officer involved shooting occurred on September 7, 2019; a MNCO outline was presented and discussed. MNCO was not notified of the shooting and learned from about the incident from media outlets.
 - At 8:40 am Legal Advisor Todd Pinckley was contacted by text and phone message to inform him of this shooting.
 - 8:45 am Mr. Weeden advised Jill Fitchard to hold a meeting with the Lead Investigator Henry Ramirez at the MNCO office to determine how to proceed.
 - 10:27 am Mr. Weeden contacted Chair Davis to inform her of the officer involved shooting.

- 11:00 am Director Weeden called the offices of Chief Anderson and Deputy Chief Henry to obtain additional information; both calls were unanswered, and he left messages.
 - 12:05 pm after having no success reaching Chief Anderson and Deputy Chief Henry, Director Weeden sent an email to Chief Anderson requesting information about the officer involved shooting.
 - Per Mr. Weeden, Chair Davis advised that an hour response time be provided to Chief Anderson. If a response is not given, then try to reach police personnel at its headquarters. Chair Davis interjected that they spoke closer to 12:15 or 12:30 pm, and she advised they be at the precinct no later than 1:30 pm.
 - Upon arrival, security stated that no one was at police headquarters; Metro personnel were in earlier that day but had departed.
- It was then decided that the parties (Chair Davis, William Weeden, Jill Fitchard, Henry Ramirez) would go to the central precinct. On the way to the precinct Mr. Weeden received a call from Captain Jason Reinbold, who gave a public safety statement regarding the occurrence. The statement was a synopsis of what he had gathered from the officers at the scene, describing the incident, the condition of the person who was shot along with the condition of the officer. Conversation continued with Captain Reinbold and a meeting was set for Monday at the Metro Headquarters. On Monday Captain Reinbold, William Weeden, Jill Fitchard and Henry Ramirez met to discuss how to proceed in the future when such events occur; the meeting concluded at 11:30 am.
 - The main concern about the shooting event was that notification was not sent from DEC (Department of Emergency Communications) to MNCO. DEC Interim Director Angie Milliken's name was given to the Board upon the request of Jamal Campbell -Gooch. Prior to this incident Director Weeden had met with the Chief of Police regarding MNCO notification in the event of a critical incident.
 - Director Weeden understood that to be added to the DEC notification list a MOU was needed. However, other Metro departments on the notification list do not have MOU's per Legal Advisor Todd Pinckley.
 - Capt. Reinbold provided MNCO a list of officers involved in this incident along with video and CAD reports. Captain Jason Reinbold has been the main point of police contact on this case. To complete an investigation access to witnesses is needed along with any and all other documentation.
 - There is an Exxon service station video of part of the incident, but MNCO was allowed only to see it, not get a copy without a subpoena. Legal Advisor Todd Pinckley advised that to obtain a subpoena, COB must go before council with a specific request. MNCO is working with Metro legal to draft an ordinance to lay the foundation for submitting the subpoena requests to Council. The earliest the ordinance would be offered would be early October.
 - Member Walter Holloway suggested that a meeting needs to be held with the Mayor to inform him of the obstacles MNCO is facing. He also suggested regarding obtaining video from Exxon, a

call to the corporate office's legal department might be a way to obtain the needed incident video.

- Mayor Briley continues to show outward support of the COB by agreeing that an MNPD, MOU move forward expeditiously.
- Chair Ashlee Davis suggested a meeting be requested with Mayor Briley to intervene between the two entities. Dr. Phyliss Hildreth made a motion that Director Weeden seek a meeting with the Mayor and one Mayor-appointed Board member. Vice Chair Jamel Campbell-Gooch provided a second to this motion and the Board unanimously approved this item. Once this meeting is scheduled the time and date will be presented to the Board.

5. MNPD Record Request Timeline & Debrief

- Director Weeden provided a packet of information to the Board regarding the status of MNCO's current eighteen cases; he provided a detailed discussion of MNCO case statuses included which cases are open, referred to other agencies or have been closed. Conversation was held about document requests denied by the police department causing case timelines to be extended or delayed.
- The MNCO is continuing to keep the lines of communication open with the Metro Police Department. A meeting was held earlier today with Chief Anderson, which covered the September 7th officer shooting. Afterwards, in speaking with DEC Director by phone she stated she would place MNCO on the notification list. Also, discussed was the records issue and how MNCO could obtain the records more readily.
- Per Chair Davis any future issues regarding record problems need to be brought to the Board immediately by Director Weeden.
- Member Dr. Phyliss Hildreth moved that a public meeting be held on September 18th, 2019, including the Mayor (at that time), Chief of Police Anderson and Director of Emergency Services Milliken. Member Brenda Ross provided a second to this motion and the Board unanimously approved this item. Member Matt Sweeney suggested that the Mayor's meeting happen before the public meeting, in order to see what issues can be resolved and addressed.
- A new motion was made by Dr. Phyliss Hildreth that the COB conduct an emergency meeting next Wednesday, September 18th, 2019, for speaking with the Nashville Mayor, Chief of Police and Director of Emergency Communication Service. A roll call was taken, and the motion passed unanimously. Member Matt Sweeney moved that the earlier meeting referenced with the Mayor occur before the meeting on September 18, 2019; Chief Emmett Turner provided a second. An additional roll call was taken, and the motion passed 6 to 4 that the meeting will take place ahead of the 18th.

- Meeting details will be shared out to the Board and the public and arraignments will be made to have minutes taken and audio recorded. Vice Chair Jamal Campbell -Gooch requested that the Board be notified of parties that are absent from his meeting.

6. DA Office Update

- Chief Anderson indicated that he could provide additional records but would be restricted due to the criminal nature of a case; however, if records could be released, he would try to do so. In addition, he added that the District Attorney's office can further assist in the matter and provided a form that can be used to request records from the DA's office. A meeting is set for this Friday with the DA's office and the topic will be records request. Member Matt Sweeney questioned if DA records are needed? Mr. Weeden responded we would need the DA's office to inform us that there is not an issue with getting the MNPd provided DA records.
- After meeting with the DA on Friday September 13 information will be provided to the Board.

7. Metro Legal Update

- Director Weeden presented MNCO's Lead Analyst Dr. Peter Vielehr's report that indicates Dr. Vielehr's experience as a private citizen obtaining records versus him being an MNCO employee requesting records.
- In requesting the same documents, Dr. Vielehr is having more difficulty and experiencing requests delays as an MNCO employee than he did as a private citizen.
- As a citizen Dr. Vielehr was able to obtain records on a jump drive for only \$7.00 dollars.

8. Policy Review Request

- Tabled to the October 2, 2019 meeting.

9. Continuous Improvement

- Executive Committee Meeting update was given which recognized the importance of receiving information in real time, in a uniform fashion. Reports should be provided by the Director to the members 5 days before the date of the Board meeting.

10. Board Commentary

- Members Walter Holloway, Emmett Turner, Brenda Ross, Dr. Adele Lewis, Matt Sweeney, Andres Martinez, Robert Cooper, waived their speaking time.

- Vice Chair Jamal Campbell-Gooch acknowledge those who have contributed to the process of the formation of the COB, including a 30 second moment of silence for those contributors lost in death.
- Vice Chair Jamal Campbell-Gooch thanked the community members present for attending the evening meeting.
- Dr. Phyliss Hildreth acknowledged that transparency is extremely important, and documents presented by the staff to the Board need to be posted on the website to be made to the public as soon as possible.
- Chair Ashlee Davis also thanked the members of the public and urged them to continue to attend future meetings, as community input is very important and valuable. The Board was thanked for its commitment in attending the various meetings.

11. New Business/Announcements

- The reminder for Citizens Academy will be sent out to the Board.
- Vice Chair Jamal Campbell-Gooch shared that violence is down by 6% in the 37208-area code.
- Member Brenda Ross encouraged everyone to go and vote.

12. Adjournment

- Member Matt Sweeney presented a motion to adjourn with Member Phyliss Hildreth providing a second and the meeting was adjourned at 6:15 pm.