

Community Oversight Board Emergency Meeting MEETING MINUTES

Wednesday, October 23, 2019 – 4:00 PM to 6:00 PM

Howard Office Building – Sonny West Room

700 2nd Ave S, Nashville, TN 37210

1. Call to Order

- **Ashlee Davis, COB Chair, called the meeting to order at 4:01 p.m. and announced the presence of a quorum for conducting business. Appeal notice read.**
- **Board Members in Attendance:** *Ashlee Davis (Chair), Robert Cooper, Adele Lewis, Jamel Campbell-Gooch, Phyliss Hildreth, Walter Holloway, Danita Marsh, Andres Martinez (Vice-Chair), Brenda Ross, and Emmett Turner.*
- **Board Members Absent:** *Matthew Sweeney, Walter Holloway*
- **Others in Attendance:** *William Weeden (Community Oversight Board Executive Director), Jill Fitchard (Community Oversight Board Assistant Executive Director), Ashley Warrington (Mayor's Office), Community Oversight Staff and Members of the Public*
- Minutes from September 11 and October 2 Board meetings held to next meeting.

2. Establish Quorum

- Chair Davis established a quorum.

3. Chair Remarks

• I. MNCO Staff Meeting

Since the last Board meeting Chair Davis stated that she conducted a lunch visit with the MNCO Director and staff. The conversation focused on three questions: the strengths, opportunities, and resources needed for shared success; looking for a thread among staff members. The themes were as follows, which the Chair has shared with Mr. Weeden:

- The staff is excited, committed, and diversely knowledgeable. The NACOLE conference provided additional resources/information, and it is recommended that the Board support the MNCO staff attendance at the conference in the future, along with one or two board members. However, there is a need for stronger line of internal communication, along with engagement with the Director, and regularly scheduled staff/executive team meetings, so the MNCO will be as cohesive a unit as possible. The Director has since established weekly meetings with the Executive Team and bi-weekly meetings with the entire staff.

- **II. Continuous Improvement**

Four things Chair asked the Director to do immediately:

- Chair Davis asked Director Weeden to convene a strategy session among himself and the Executive team to establish at least a two-year strategic plan.
- To contact the Mayor's office to request a monthly meeting with the MNCO
- Establishment of weekly MNCO Executive Team meetings and bi-weekly MNCO Staff meetings (done).

The Chair led a discussion about a meeting she has had with Director Weeden and his performance and the need for him to take ownership and action. She shared with the Board a proposed letter to Mr. Weeden addressing those issues. It will be for the Board to decide whether to send the letter to the Director. The letter addresses his meeting with Metro Council regarding the COB's priorities, without any advance notice to the Board or its Chair and that the scheduled meeting was not in the Executive Director's Monthly report. Also, the letter addresses the quality of the Director's Reports, and delayed minutes with errors.

The Board members had an active, extended discussion of these performance issues and certain structural failures and impediments outside the COB that can frustrate performance. The Board is committed to the success of the MNCO, including the success of Mr. Weeden.

Dr. Lewis moved to issue the letter with three revisions: add the September 26th date/time line of the Metro Council invitation to Mr. Weeden to meet and discuss COB priorities, include the need to athleticize the quality of the minutes and that a Performance Improvement Plan be developed. Mr. Martinez provided a second on the motion. The Board members present unanimously approved. ***The letter as sent can be found as Attachment A.**

Mr. Weeden was invited to respond to the letter. He made brief comments and will formally respond at a later time.

There was brief discussion about Board morale, which was confirmed as positive and committed.

There also was a discussion about the FOP's recent request to participate in MOU discussions and background, and whether additional participation should be allowed. The Chair noted that FOB had earlier been invited with other groups and declined. Mr. Weeden brought recent request to the Chair and she decided to decline the request to meet because all groups should be treated the same.

- **III. Oct. 8th Meeting with Mayor Cooper**

- The Chair previously sent the Board (October 9 email with attachment) a detailed account of the meeting. Overview of the meeting included discussion with Mayor of need from him for access, collaboration, and action. Access means a seat at the table in matters that concern the COB, such as body cameras, IT programs and documents. We requested a liaison from both Mayor's office and the Council. Collaboration focused on MOU and our view that Chief is stonewalling; Mayor thought best approach would be for both groups should convene with Metro Legal Director. Action included inviting the

Mayor to meet with the Board for a public discussion and vocal commitment to the Oversight process. Ongoing meeting between MNCO and Mayor's staff is invited.

4. COB/MNPD MOU Oct.10th Meeting

- Director Weeden discussed the meeting was held on October 10th. Chief Anderson was not inclined to enter into a MOU, but rather would consider them as policy recommendations and that he would need time to respond after internal and FOP feedback. Chief Anderson also backtracked on certain earlier commitments re crime scene access. Next steps were discussed, including Mr. Weeden's recommendation that the Mayor's intervention will be needed.
- Dr. Phyliss Hildreth suggested a process for negotiating the MOU with both sides represented. Jamel Campbell-Gooch has moved for the establishment of a negotiation task force, which would include the following elements: The COB side would include the Director Weeden, Member Marsh and a Member Hildreth as a Mayoral-nominee Board Member, plus its legal advisor. The Mayor would select the Executive Branch membership, with an attorney; likely to include a Mayor's office liaison, a FOP representative and a MNPD representative. The Mayor would be asked to respond to the request within fourteen days from receipt of the request. Mr. Martinez provided a second on the motion and the Board unanimously approved by Members present, with the abstention of Member Cooper in light of his impending position as Metro Legal Director.
- Per Robert Cooper, the request to the Mayor establishing the task force needs to be in writing.

5. Executive Director Report

- Director Weeden summarized the Executive Directors Report. ****Executive Report can be found as attachment B.*** and about the denial of requested documents because of juvenile involvement.
- Jill Fitchard summarized a meeting with the DA's liaison and the details on two case where open records request were denied because they involve juveniles. That is another issue which will need to be addressed in the MOU. Other issues involving and strategies for getting juvenile related documents also were discussed and should be considered by the new proposed task force. LA Pinckley also said federal law related to cameras in schools.

6. Invited Guest Speakers

- **I. Mayor John Cooper**
 - Mayor Cooper was invited but unable to attend but his Director of State Government Relations and Metro Council Liaison Ashley Warrington attended in his place. ****Email from the Mayor's office can be found as attachment C.***
- **II. Chief Steve Anderson, Metropolitan Police Department**
 - Chief Anderson was invited but declined the invitation. ****Email from Chief Anderson can be found as attachment D.***

7. Police Review Requests

- **I. Use of Force**
 - Dr. Peter Viehler presented the proposal, which focuses on social science research and suggested best practices. Would result in annual trackable report and potential policy recommendations.
 - Mr. Martinez moved that the proposal be approved; Dr. Adele Lewis provided a second on the motion and the Board members present unanimously approved. ****Use of force form can be found as attachment E.***
 -
- **II. Traffic Stops**
 - Dr. Peter Viehler presented the traffic stop proposal. Noted role of traffic stops in the formation of the Board and how changes since policing report was issued. Community report will be a key component of the research.
 - Mr. Martinez moved that the proposal be approved; Dr. Adele Lewis provided a second on the motion, and the Board members present unanimously approved. ****Use of force form can be found as attachment F.***

8. MNCO Mediation Program

- The MNCO Mediation Program is tabled to the November 20, 2019, meeting.

9. Public Comment

- Mr. Austin Davis spoke about the Steve McNair case, and stated more information can be found at www.thesilentbell.org
- Richard Leesch posed the question to the Board regarding “Why can’t the legal department of Metro Government bring the entities together?”

11. New Business/Announcements

- Draft MOU between MNCO and Davidson County Medical Examiner was discussed. LA Pinckley advised that changes to address issues raised at last Board meeting have been made. Member Hildreth moved that the MOU be approved, which was seconded by Member Campbell Gooch. Motion was unanimously approved by Board Members Present.
- This will be Robert Cooper’s last Board meeting, and he thanked the Board and wished them ongoing success. Board Members thanked him as well.
- Jill Fitchard will send out a reminder about Citizen’s Police Academy being held on Saturday, October 26th.
- A discussion will be held regarding the process to fill the open Board vacancy.
- Procedural Justice training will be held this Thursday and Friday at the American Baptist College (Lewis & Scruggs Hall) from 8:30 am to 4:30 pm and is free and open to the public.
- The MNCO permanent office will be available on November 1st and will be open to the community.

12. Adjournment

- Andres Martinez motioned to adjourn with Brenda Ross providing a second. The meeting was adjourned at 6:12 pm.