

**Community Oversight Board Meeting**  
**MEETING MINUTES**  
**Wednesday, November 18, 2020 – 4:00 PM to 6:00 PM**  
**WebEx Meeting**

**1. Call to Order**

- **Jamal Campbell-Gooch (Vice-Chair)**, called the meeting to order at 4:00 p.m.
- **Board Members in Attendance:** *Ashlee Davis, Andrew Goddard, Jamel Campbell-Gooch, Walter Holloway, Timothy Hughes, Adele Lewis, Brenda Ross, Matthew Sweeney, and Shawn Whitsell.*
- **Board Members Absent:** *Andres Martinez (Chair), Phyllis Hildreth*
- **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), Stephen Martini (Emergency Communications Center Executive Director), Capt. Carlos Lara (MNPD Chief Diversity Officer), 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 Vice Chair Campbell-Gooch 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 65 to conduct the following Community Oversight Board (“COB”) meeting electronically.
- Matt Sweeney moved to approve the electronic meeting. Andrew Goddard provided a second on the motion. The electronic meeting was unanimously approved.

**4. Approval of the Minutes**

- Timothy Hughes moved to approve the October 23, 2020, Special Board Meeting minutes. Member Sweeney provided a second on the motion. The October 23rd minutes were unanimously approved.

- Member Hughes moved to approve the October 28, 2020 Board minutes. Brenda Ross provided a second on the motion. The October 28th minutes were unanimously approved.

## **5. Chair Remarks**

- Vice-Chair Campbell-Gooch read Chair Martinez's remarks in his absence. Chair Martinez stated that on October 29, 2020, he participated in the interview panel for the five finalists for MNPD Chief of Police. Each candidate was carefully considered before a final recommendation was sent to the Mayor. Chair Martinez hopes that a decision will be made by the Mayor soon to establish a cooperative relationship between the Board and the new Chief of Police.
- The Executive Committee met on November 13, 2020 and discussed items that needed to go before the Board for consideration, which are included in today's agenda.
- Chair Martinez thanked everyone for their hard work and dedication and wished all a happy holiday.

## **6. Executive Directors Report**

- Director Fitchard introduced MNPD Chief Diversity Officer Captain Carlos Lara, who will serve as the new MNPD liaison to the COB.
- Captain Lara explained that as the liaison he intends to keep an open line of communication between the Board and the Chief of Police.
- Director Fitchard provided highlights from her written report to the Board:
  - Most staff members are continuing to work from home with a few going into the office; however, due to the increase in COVID cases, staff will reduce their office visits for safety purposes. Human Resources has provided guidance regarding working remotely that will be reviewed for further determination. Most Metro departments will continue to telecommute for the duration of the COVID crisis.
  - Video cameras have been installed along with a server for the conduct of witness/officer interviews at the MNCO office.
  - The Lead Investigator position is still vacant due to a Metro-wide hiring freeze.
  - Training is ongoing.
  - One investigative complaint was received and staff also assisted with six non-complaint calls since the last Board meeting.

- Community Liaison Brensey Thompson completed the fall newsletter. It was sent out to our subscribers and posted to the website. Ms. Thompson is working on education outreach endeavors to make the public aware of the services that MNCO offers. Information will be provided on how to file complaints and how the investigative process works.
- MNCO has received two research requests, one from NOAH (Nashville Organized for Action and Hope) and one from the NAACP, which are under review. (Dr. Vielehr will provide more information later in the meeting).
- On October 30, 2020, Director Fitchard, Assistant Director Clausi, and Legal Advisor Todd Pinckley met with TBI Director Rausch and his staff to discuss a proposed COB/TBI MOU. As an alternative, the TBI suggested amending its existing MOUs with MNP and the Metro DA, which would include the COB; once the TBI presents a draft it will be provided to the Board.
- On November 12, 2020, Director Fitchard spoke with Deputy Chief Haggar to finalize several remaining MOU language issues. They reached agreements on those issues and the MOU has been sent to Metro legal and the negotiation taskforce participants for final review. Once final signoff is received, the agreement will be presented for approval to the Executive Committee or the Board, whichever body is next to meet.
- The DAG (District Attorney General) and COB MOU was filed with the Metro Clerk's office on November 3, 2020. The MNCO investigative staff is now receiving records thereunder without any issue.
- The first PRR, which was approved by the Board with slight modifications on October 23, 2020, and accompanying investigative file, have been sent to interim Chief Drake and Deputy Chief Haggar for review.
- MNCO has asked that MNP create a shared drive for the timely exchange of information. This recommendation is under consideration by MNP.
- Director Fitchard is currently working on two PRRs which should be complete for the Board to review at the December Board meeting.
- MNCO made a referral to MNP OPA (Office of Professional Accountability) of a complaint filed by Daniel Horwitz on behalf of his client. The complaint related to a matter that occurred in 2018, which is outside of the COB's jurisdiction.
- Metro Councilmember Jennifer Gamble called Director Fitchard about a Public Safety Committee Meeting that had occurred on November 10, 2020. The meeting concerned license plate readers (BL\_2020-457). She advised that multiple interested parties had attended, including DA General Funk. Director Fitchard was invited to the next meeting

that will take place on November 23, 2020, to address community concerns. Director Fitchheard advised Ms. Gamble that she didn't have any knowledge of community concerns as she and the community has not been made aware of the initial meeting. (There is another proposed ordinance NO. 2020-494 regarding the use of license plate reader surveillance)

- Ashlee Davis asked whether OPA Director Morante has acknowledged receipt of the referred Horwitz matter. Director Fitchheard advised that she had not and she will follow up with her tomorrow.
- Member Davis also expressed concern that the Public Safety Committee Meeting Chaired by Ms. Gamble had occurred on November 10, 2020 without notice to the COB and questioned why. Member Davis recommended that Director Fitchheard's response to Councilmember Jennifer Gamble explain in writing why the COB can't engage in the discussion, and request that notice of future meetings be given in advance when asking for COB participation.
- Member Ross echoed the remarks of Member Davis and stated that she viewed the meeting in its entirety and was concerned that the COB and community member were not involved. Member Ross recommended that MNCO should follow all Public Safety meetings on the Metro Council's Agenda.
- General Board discussion continued regarding the Public Safety Committee's meetings and the need for community involvement in time to influence the legislation.
- Member Sweeney requested additional information about the two license plate reader bills, including status and when they will come up for votes.
- Captain Lara advised that Board that during this meeting he had reached out to OPA Director Morante about the referred Horwitz complaint. She acknowledged that she received it and said she will respond to Director Fitchheard's email shortly.

## **7. Policy Advisory Report Proposals**

- Dr. Vielehr discussed the two community organization policy proposal requests received. The first was requested by NOAH and relates to mental health crisis-related calls for service, affected practice for diversion, and police crisis first responders.
- The second request, which also was discussed at the last Board meeting, was made the NAACP. This request involves MNPD background screening in its hiring practices, including prior use of force and postings on social media. The request was triggered by a recent incident involving the hiring of a recruit who had shot and killed someone as a security guard before he was hired by MNPD. Recently, that officer was criminally charged for that shooting.

- Board discussion followed on whether past incidents of violence or uses of force should be considered in background checks and whether those incidents should disqualify a candidate, and the processes used by MNPd to investigate bias of recruits prior to employment.
- Member Holloway expressed his belief that the MNPd hiring policies currently in place are fine, but they need to be enforced
- Emergency Communications Director Martini advised the Board that he has received valuable insight as to the types of questions that could be asked to identify calls that can be dispatched to mental health resources. The focus is to establish a phone call protocol for mental health calls and to work with the Medical Director to have someone in place to sign off on those types of calls.
- Member Ross asked whether funding for such a program exists and requested that the funding information be provided to Director Fitchard as well.
- Shawn Whitsell expressed his appreciation that the community organizations had requested the Board to consider these policy proposals. He also asked whether NAACP had made its request first and about the timeframe for consideration of each proposal.
- Dr. Vielehr said he thought both proposals were received at about the same time. He said the NAACP proposal likely would move faster. He also said he looks forward to working with Director Martini on the NOAH proposal, but it will require more time.
- The Board also discussed current demands of the research staff and the possible prioritization of initiating research on the two policy proposal requests. Currently the MNCO staff is working on the MNPd use of force study which was part of the Mayor's Policing Policy Commission project. Additionally, the COB's annual report is due to the General Assembly on a deadline of February 1, 2021, which cannot be extended. Director Vielehr advised that only one of the two proposal can be undertaken at this time. He suggested that a draft of the NAACP research proposal could be presented to the Board by January .
- Member Sweeney moved that the NAACP proposal be conducted first and that both requests be approved for policy proposal consideration. Member Hughes provided a second on the motion. The motion was unanimously approved.

## **8. Public Comments**

- None at this meeting

## **9. New Business / Announcements**

- Member Davis gave an update on the Police Commission Committee. The Commission has finalized its report and the final committee recommendations were submitted to commission co-chairs Karl Dean and Dwight Lewis.
- The MNCO off will be closed Thursday and Friday for the Thanksgiving holiday.

## **10. Adjourn**

Member Goddard moved to adjourn the meeting with Member Hughes providing a second. The motion was unanimously approved. The meeting adjourned at 5:12 pm.

**Approved by the Board at its meeting on December 16, 2020**

***/s/ Matthew Sweeney 2/2/21***