

Community Oversight Board Meeting
MEETING MINUTES
Wednesday, July 28, 2021 – 4:00 PM
Howard Office Building – Sonny West Room
700 2nd Ave S, Nashville, TN 37210

1. Call to Order

- **Andres Martinez (*Chair*)**, called the meeting to order at 4:00 p.m.
- **Board Members in Attendance:** *Joe Brown, Drew Goddard, Arnold Hayes, Walter Holloway, Makayla McCree, Shawn Whitsell and Mark Wynn.*
- **Board Members Absent:** *Jamel Campbell-Gooch, Phyllis Hildreth*
- **Others in Attendance:** *Jill Fitchard (Community Oversight Board Executive Director), Chris Clausi (Community Oversight Board Assistant Executive Director), Loral Fox (Metro Legal), Jonathan Hall (District 1 Council Member) and Community Oversight Staff, and members of the public.*

2. Establish Quorum and Reading of Appeals Statement

- A quorum was established for the meeting and Chair Andres Martinez read the appeals statement.

4. Approval of the Minutes

- Drew Goddard moved to approve the June 23, 2021 minutes with the addendum and corrections, Walter Holloway seconded. After discussion, Drew Goddard moved to approve the minutes with a correction requested by Shawn Whitsell, Joe Brown seconded the motion, and it was unanimously approved.

5. Chair Remarks

- Chair Martinez stated that Dr. Stephanie Kang resigned from the Board because she has accepted a position with the Metro Health Department and, as a Metro employee, is ineligible to continue serving on the Board.

- Chair Martinez noted that there is an opening for Second Vice Chair of the Board. Under the authority given to the Chairperson, Chair Martinez appointed Member Hayes Second Vice Chair if he was willing to accept. Member Hayes accepted the position.
- A new Nomination Committee needs to be formed along with conducting a nomination meeting. Chair Martinez requested a volunteer to chair the Nomination Committee, elections are in January and would like to see that filled expeditiously.
- Due to the absence at the meeting of several Board members and Dr. Vielehr, discussion the hiring and background recommendation response will be deferred until the next Board meeting.

6. Guest Speakers: Jonathan Hall, District 1 Council Member

- Councilmember Johnathan Hall noted that privately owned and operated License Plate Readers (LPR) are currently being used and are being installed in his district.
- The Flock Security LPR system is currently being used at Hayes Park and was chosen by the Neighborhood Association. The benefits of the Flock system, from comments of by members of that community, and other aspects of the system were discussed in detail including: being able to out of the program, the neighborhood raising money for the cameras, assisting law enforcement, how information is collected and stored, the length of time information is stored (30 days), vehicle make, and model is stored along with the license plate information.
- Two other neighborhoods are looking into obtaining the Flock system and where the cameras will be placed. Representatives from Flock have been speaking at community meetings to provide information to citizens.
- Johnathan Hall answered numerous questions from the Board Members regarding other comparable cities that are using Flock, reading errors (claimed operation at a 95% - 98% accuracy rate), who is monitoring the cameras, how long the cameras have been in operation, camera placement and functionality, information sharing with MNP (a warrant is needed for information requested by MNP), funding (neighborhood funded), the ability to have vehicles not included in the system, program successes, tracking of who accesses the system, etc. Flock's presentation materials will be sent to the Board Members

7. Executive Director's Report

- Director Fitchard provided highlights from her written report to the Board.
 - The office reopened for business on July 1, 2021, and safety measures are in place.
 - MNCO hired an investigator, Amy Simmons. Her first day was July 6, 2021. MNCO also hired attorney Daniel Yoon as Legal Advisor and Gavin Crowell-Williamson was selected

as a Research Analyst. Both will be starting in mid-August. The Community Liaison position is open, and over 45 candidates have applied.

- ED Fitchard Attended a webinar by Vanderbilt’s Radiology Department over Inaugural Diversity, Equity and Inclusion entitled, “Becoming a Racial Equity Learner, Advocate and Broker and Forming a Racially Inclusive Sociological Imagination by Dr. Rashawn Ray.
- AD Clausi was guest speaker for the Nashville Conflict Resolution Center virtual lunch and learn speaking about the COB’s role with mediation and police accountability.
- The 27th Annual NACOLE Conference virtual component will include 32 webinars and will take place on August 16th – October 7th. Interested Board members should contact MNCO staff to be registered, and one Board member will be funded to attend the in-person conference. The in-person component will be held December 12-16, 2021, in Tucson, Arizona. Board Members are encouraged to attend the in-person conference on their own expense.
- All Board Members must complete the mandatory HR training over Sexual Harassment, Prevention and Inclusion, the next session will be held on August 17th, September 23rd and October 26th.
- With the absence of the Community Liaison, there has been limited community outreach this month.
- ED Fitchard attended a District 1 community meeting, held on July 22nd. A representative from Flock and Sgt. James Freeman, the North Community Coordinator, were also in attendance.
- Dr. Vielehr has been preparing the monthly performance metrics that are reported to the Mayor’s office. Dr. Vielehr also has provided technical assistance regarding traffic stops.
- The MNCO has received a total of 9 or 10 investigative complaints since its last Board meeting in June and assisted with six non-complaint calls for service.
- ED Fitchard met with OPA Director Morante and Commander Lara regarding the Proposed Resolution Report recently sent to MNPd and MNPd’s response. The discussion centered around the process and the response. ED Fitchard explained to Director Morante that once the report is sent to Chief Drake, the MNCO has completed their work, and if after reviewing the report MNPd believes there are outstanding issues, they should address those concerns.
- Body Worn Camera Update—Commander Carlos Lara, MNPd COB Liaison, sent the latest information regarding implementation and deployment of the BWC/ICC program.

Deployments are 100% complete in Youth Service Division, Property and Evidence section, Field Training Officers (FTO's), Special Investigation Division, County Wide Traffic, Training Division (Academy Instructors), Special Response Team (SRT), K9 Unit, Hazardous Device Unit, Emergency Contingency Section, Background and Recruiting, MDHA Task Force, and the Office of Community Engagement & Partnerships.

- To date: 1,084 of 1,332 (81%) of active employees are equipped w/ BWC's, and 705 of 730 (96%) of MNPD vehicles are equipped w/ ICCs.
- Discussion was held regarding the need to increase COB staff and MNCO's future growth. Data shows that the department should have 4-6 investigators based on the number at other investigative agencies. The plan is to add an investigator next year, two the following year, and then up to three within the five-year projection.
- Strategic plan goals have been met. However it has been determined that officer-complainant mediation needs to be strengthened. The cases that were sent to mediation were not accepted due to the complainant not following through with the complaint. AD Clausi gave further explanation of the situation and that more cases are being referred for mediation.
- The police department has invited ED Fitchard and AD Clausi to speak with the recruits at the 92nd session on August 16th regarding the complaint process. The next session will be held in January.
- Ed Fitchard discussed the Nashville Vision Zero program, which provides safe Nashville streets and members can participate in a survey at visionzero.nashville.gov.
- Board input regarding the next strategic planning meeting is welcomed.
- Commander Lara gave an overview of the police use of force policy, which can be found online with updates and can be compared to the old policy. A description of roll call training was also provided to the Board Members. Member Holloway expressed his discontent with the policy and expressed that the policies should be enforced. Member Hayes stated that he looked forward to seeing the recommendations from the board in the updated policy.
- Member Holloway expressed his interest in meeting MNCO's new employees at the next board meeting. Member Hayes commented that the police department needs to manage their department more efficiently and until that is done MNCO will require

more staff. ED Fitchheard stated as the number of police personnel increases, MNCO's staff needs to experience employee growth as well.

8. Board Discussion:

- COB Rules & Bylaws update – Member Goddard provided an update of the revised COB Rules & Bylaws. During the review, The Executive Committee had discussion regarding a comments on proposed resolution reports then the reports are considered by the Board, and specifically whether the complainant and/or the officer(s) involved had a right to address the Board. The Committee concluded that prior to the Board meeting all parties would be provided a copy of a draft proposed resolution report and provided a time period during which they can submit written comments, which will be read by staff to the Board when it considers the draft report. Member McCree asked if parties want to speak can they do so. Member Goddard stated under these proposed rules they would not be allowed to speak; however, the rules could be suspended under particular circumstances by a vote as provided in the Board's by-laws.

Member Hayes moved to accept the revised COB Rules & Bylaws as presented, Member McCree seconded the motion, and it was unanimously approved.

- Discussion of MNPDP's response to the Hiring & Background Recommendations was deferred
- MNPDP & Vanderbilt Police Department MOU – Ed Fitchheard noted a recent shooting that occurred near Vanderbilt and the MOU between MNPDP & Vanderbilt Police Department which allows Vanderbilt police officers to be designated as Special Police Officers by the MNPDP Chief of Police. The MOU does not mention the COB. Member Wynn suggested that Vanderbilt's leadership be invited to a board meeting to discuss its existing policies for these officers, how they operate, and what a relationship with the COB would entail.
- ED Fitchheard read a portion of the MOU between MNPDP and Vanderbilt related to their policing and special commission granted to their officers. Vanderbilt is the only school in Davidson County with an MOU with MNPDP allowing their police officers to be commissioned by MNPDP. Several other schools have security, but they are not commissioned by MNPDP as special police officers.

9. Public Comment

- Mr. Davie Tucker gave his opinion regarding the LPRs. He expressed concern regarding over policing of the black and brown communities and stated that the police department still seems reluctant about having oversight. Mr. Tucker encouraged the Board Members to continue completing the work that the Nashville community voted for and to push for systemic change. Mr. Tucker spoke about rebuilding community

trust and expressed his interest in hearing more about the Hiring & Background Recommendations Response, including the lack of minorities.

- Chair Martinez stated that comments over the Hiring & Background Recommendations response can be sent to ED Fitcher for the board to review.
- Ms. Mollett asked could additional bus routes be added to transport to the Smyrna location. ED Fitcher will obtain the information and provide it to Ms. Mollett.

10. New Business / Announcements

- NA

11. Adjourn

Member Hayes moved to adjourn the meeting, Member Wynn seconded the motion, and it was unanimously approved. The meeting adjourned at 6:05 pm.