



February 2022 COB Executive Director's Monthly Report

Executive Summary

MNCO Office—Staff members will be in the office during regular business hours, on most days, to assist the public. Safety measures are in place for the staff and community. Masks, although not required, are encouraged, as is social distancing.

MNCO Personnel Update—Dr. Peter Vielehr will resign on March 1st to take a position as the Director of Analytics for the Albuquerque, New Mexico Police Department. MNCO hired an Administrative Assistant who will begin employment on January 28th. The Community Liaison position will be reposted this month and Director Fitchard will work with Metro Human Resources to get all vacant positions filled expeditiously.

MNCO Training—Director Fitchard continues to promote training and professional growth for staff members. Staff members are encouraged to attend trainings each month.

Community Oversight Board Meetings—The Executive Committee met on February 10th and all members were present. Members of the public were also in attendance.

MNCO Research—Dr. Vielehr worked with director Fitchard to complete the FY23 budget by providing the research and data to support the request. Research Analyst Gavin Williamson-Crowell attended “Justice Counts” National Launch, met with Mayor’s Sr. Policy Advisor, Dia Cirillo, and participated in the University of California’s data week. Dr. Vielehr spent time assisting the MNCO team with his transition.

Community Outreach—We continually strive to participate in outreach endeavors to make the public aware of the services that MNCO provides, specifically around how to file complaints, the process, and the difference between administrative and criminal investigations.

- Director Fitchard shared COB/MNCO information with Community Changers Deep Dish Conversations hosted by Jerome Moore.
- Director Fitchard shared a 3-year update of COB’s progress with the Interdenominational Ministers Fellowship (IMF).

MNCO Investigations—COB’s Legal Advisor, Attorney Daniel Yoon is working with the investigations team to close out the backlog of 2021 cases. Complaints have steadily climbed and the need to increase the investigator staff, to meet the needs of the community and offer support to our current investigators, is a

priority. Director Fitchard has presented the Board data to support a request to expand the MNCO staff and services and believes the addition of a legal assistant to the MNCO staff will help move cases through the process in a more efficient manner.

Complaints—The MNCO continues to receive calls from the public to initiate complaints of alleged misconduct by MNPB officers. The MNCO received a total of 2 investigative complaints since its last Board meeting in December. MNCO received a total of 5 non-complaint calls for service.

MNPB Records Update—The MNCO investigators report no issues with receiving MNPB requested records.

MNPB Police Shooting—Please see the media release from Director Fitchard regarding this shooting:

COMMUNITY OVERSIGHT BOARD DIRECTOR'S STATEMENT ON THE MNPB INVOLVED SHOOTING DEATH OF LANDON EASTEP

Nashville, January 28, 2022 – The COB received notification of a police officer involved shooting on January 27, 2022, at 2:31 PM. Director Jill Fitchard received a call shortly after the initial notification from MNPB's Commander Carlos Lara with a preliminary update on the circumstances. Director Fitchard responded to the scene and was briefed again by Commander Lara and Captain Brian Anderson (CID) who released detailed information about the incident. MNCO Investigator April Williams arrived on the scene and was updated. The Tennessee Bureau of Investigation (TBI) and Tennessee Highway Patrol (THP) were also on the scene. Director Fitchard and Investigator Vernon Johnson responded to MNPB HQ's and were able to view the Body Worn Camera (BWC) videos of MNPB, THP and Mount Juliet officers involved in the shooting.

Director Fitchard viewed publicly released videos and received community complaints from witnesses who observed the incident and acknowledges their concern and outrage in the shooting death of Landon Eastep.

The circumstances surrounding the death of Mr. Eastep by MNPB, and other members of local law enforcement are gravely disturbing. Director Fitchard will initiate an independent investigation into the shooting and will ask the District Attorney General to release the investigative findings to the MNCO at the completion of TBI's investigation.

The MNCO is calling on the other law enforcement agencies involved, specifically, the Tennessee Highway Patrol (THP) and Mount Juliet Police Department to release their investigative findings including any records, video, reports, witness statements or other pertinent information related to the death of Mr. Landon Eastep, to the MNCO for review.

Many members of the public, some who witnessed and recorded this tragedy, called to express their outrage. MNPB Chief John Drake placed the six involved officers on administrative leave and decommissioned one officer, who fired the last two shots from his rifle. The Nashville NAACP held a press conference with the family and their legal counsel.

MNPD Chief of Police PRR Response—January 31st, Chief Drake responded by letter to the Board’s discipline recommendations for the listed resolution reports:

- **CC2020-13:** “As to the Board's finding that the charges against Officer Lawson and Sergeant Brown should be not sustained, I concur that there were no violations of Departmental policy. However, I conclude that the finding should be exonerated on the charges Obstruction of Rights, Vehicle blocking and Self-Identification, instead on not sustained. I concur that the courtesy charges should be not sustained.”
- **CC2020-14:** “Unfortunately, at the time of the stop and Vehicle Block there was no vehicle description available of the vehicle occupied by the juvenile escapee. The reasonableness of the actions of Captain Whited, and the other officers involved, must be judged by the information known or available to him at the time. Based on the information known to Captain Whited at the time, reasonable suspicion existed indicating the occupant of that vehicle had committed a crime of violence and there was a possibility the vehicle would be used to flee. Due to these facts, I reject the finding against Captain Whited and find that it should be exonerated.”

Proposed Resolution Reports—Director Fitchard will present two reports for consideration at the February meeting. The Proposed Resolution Reports can be found on the COB webpage at Nashville.gov.:

- MNCO CC2020-045
- MNCO CC2021-025

Force Review Update—As we continue to receive and review cases regarding deadly police shootings the MNCO staff continue to discuss, monitor, and find ways to complete those very important cases with limited investigative staff. We are researching and seeking input from other peer agencies to determine best practices for auditing and investigating deadly shootings. We believe auditing those special case types will help with meeting the timelines the COB has set forth in its Rules and Bylaws regarding investigations.

Force Review Board—MNPD’s Force Review Board scheduled on Thursday, February 10th was postponed until March. The date has not been determined.

Board Member Update—The Council elected and confirmed four members to the COB for three terms:

- **Walter L. Holloway** Term Expires 1/31/25
Representing: Metropolitan Council
- **Michael Milliner** Term Expires 1/31/25
Representing: Community Organization/Petition
- **Maxine Spencer** Term Expires 01/31/25
Representing: Community Organization/Petition
- **Andrew J. Goddard** Term Expires 01/31/25
Representing: Mayor’s Office; Reappointed.

COB Nominations: COB Executive Committee nominations and vote for officers will take place during February’s general board meeting.

COB Budget Season—Director Fitchard met with the COB Budget Committee on January 20, 2022, to discuss and analyze the COB’s operating budget to determine funding needs and goals to expand MNCO services. Director Fitchard and Dr. Peter Vielehr prepared a FY23 budget and required BET (Budget Equity Tool) proposal and worked along with COB Metro finance budget analyst to upload the requested information by its due date of February 14th. The prepared budget will be discussed and voted on by the COB during the February general meeting.

MNPD Citizen’s Police Academy—The CPA will host a 12-week training session beginning on Monday, February 28, 2022. All Board members are required to participate within their first year as Board members. Please contact Director Fitchard for more information on enrollment.

License Plate Readers—BL2022-1116, is an ordinance amending Section 13.08.080 of the Metropolitan Code of Laws pertaining to the use of License Plate Scanner (LPR) technology to ensure data access parity for the Community Oversight Board. Bill sponsor would like any updates or suggestions before 2nd reading of bill, which is set for March 1st.

Partners in Care Pilot (Mental Health Co-Response Model)—Director Fitchard and Research Analyst Gavin Crowell-Williamson attended the Stakeholder Committee meeting on February 3rd.

Department Head Meeting—The January meeting was cancelled, and February’s meeting is scheduled for Thursday, February 24th.

MNPD Training Academy—Presentation to recruit training class 95 on Thursday February 24th.

Survivor Resources—Director Fitchard continues to pursue opportunities for complainants and the family of deceased individuals, who have been directly impacted by police violence and shooting deaths, believes the addition of a Social Worker to the MNCO staff would assist complainants by triaging their needs during the intake process. Nashville would be on the forefront of reform by addressing the social and mental needs of complainants during the misconduct investigation process. The MNCO research team is gathering data from around the country to offer support for this endeavor and more information on this proposal will be provided in the coming months.

This concludes the February 2022 Executive Director’s Report.