

Community Oversight Board Meeting
MEETING MINUTES
Wednesday, February 23, 2022 – 4:00 PM
Howard Office Building – Sonny West Room (A&B)
700 2nd Ave S, Nashville, TN 37210

1. Call to Order

- **Chair Arnold Hayes called the meeting to order at 4:00 p.m.**
- **Board Members in Attendance:** Arnold Hayes, Phyllis Hildreth, Shawn Whitsell, Hamid Abdullah, Drew Goddard, Walter Holloway, Michael Milliner, MaKayla McCree, Maxine Spencer.
- **Board Members Absent:** Joe Brown, Mark Wynn
- **Others in Attendance:** Jill Fitchard (Community Oversight Board Executive Director), Peter Vielehr (Lead Research Analyst), Daniel Yoon (Legal Resource Advisor), Gavin Crowell-Williamson (Research Analyst), and members of the public.

2. Establish Quorum and Reading of Appeals Statement

- A quorum was established for the meeting, and Chair Hayes read the appeals statement.

3. Approval of Minutes*

- Board Member Hildreth moves to approve. Board Member Abdullah seconds. Passed unanimously.

4. Chair Remarks – Arnold Hayes, Chair

- Welcome to new Board Members Maxine Spencer and Michael Milliner and returning Board Members Drew Goddard and Walter Holloway.

5. Nominations and Vote on Executive Committee Officers* – Daniel Yoon, Legal Advisor

- Chair – Arnold Hayes
- First Vice-Chair – Phyllis Hildreth
- Second Vice-Chair – Shawn Whitsell
- Secretary – MaKayla McCree

6. Executive Director's Report – Jill Fitchard, Executive Director

Director Fitchard provided highlights from her written report to the Board. The full Executive Director's Report is attached to these Minutes.

- Personnel update – Dr. Vielehr resigned effective March 1, 2022. A new Administrative Assistant began February 28, 2022.
- The MNCO received 2 investigative complaints and 5 calls for service.
- January 27, 2022 a police shooting occurred. The Executive Director and an investigator responded to the scene. ED and an investigator reviewed body worn camera videos at Police HQ's and video from members of the public. Six of the involved officers were placed on administrative leave, and one officer was decommissioned.
- Chief Drake responded to two complaints and partially accepted CC2020-013, he also rejected the COB's finding and recommendation to discipline the Captain in CC2020-014.

Board Member Milliner – asked is there something we can do to put something in the employee file when we disagree with the Chief's decision?

Board Member Goddard – moved for a letter to be sent to Chief Drake that asks specifically what range of vehicles would have been permissible to stop, because it seems as though they could've stopped any car in Nashville under those circumstances. Seconded by Board Member Milliner. Passed unanimously.

7. Annual Budget Request* - Jill Fitchard, Executive Director

- After 2.5-3 years of serving in this role, it is understood that we need more staff. We are lacking investigators and positions to meet the core services and not able to efficiently meet the needs of the community. With increased staff, we also need more mid-level management positions to effectively supervise and manage the agency. An equity impact statement and a comparison to other oversight agencies in the nation is included. 9 positions being requested: Two investigators, a social worker, a legal assistant, a professional specialist (body worn camera footage, in car cameras and license plate readers), a public information coordinator, an executive assistant, special assistant to the director, and an administrative service manager.

Board Member Hildreth – there's been changes and increases in law and technology since the time that the COB was created. License plate readers, body-worn cameras, etc. are now at Metro Nashville, and the COB is a part of those processes overseeing them, so we need the resources to do it. Periodic re-ups and presentations from the Legal Advisor can help with ensuring we are meeting deadlines. Pursuant to NACOLE, it appears a common standard emerging (e.g. Miami, Chicago, New York City and Rochester, NY) that oversight agencies receive more than 1% of a police budget. And if the police budget is reduced, then the COB will happily take less, but we have to have parity.

Executive Director – The police budget since 2020-2022 has increased 12%, while COB budget decreased 2%.

Board Member Abdullah moved to approve. Seconded by Board Member Whitsell. Passed unanimously.

8. License Plate Readers* – Dr. Peter Vielehr, Lead Research Analyst, & Gavin Crowell-Williamson, Research Analyst

- Board Member Whitsell moved to endorse the language added to BL 2022-1116 that adds more COB oversight of LPRs, currently scheduled to be on second reading to Council Tuesday, March 1, 2022. This does not change the previous positions taken by the Board not being in favor of LPRs generally. Seconded by Board Member McCree. Passed unanimously.
- Board Member Goddard has a question for another time as to whether the Board has authority under state law to endorse bill language, etc.

Recess at 5:20 PM, reconvene at 6:00 PM in Sonny West Room (C&D side)

9. Proposed Resolution Report Presentation – Daniel Yoon, Legal Advisor

10. Proposed Resolution Reports – Jill Fitchard, Executive Director

- **MNCO Complaint CC2020-025*** – Approved with modifications.
- **MNCO Complaint CC2021-045*** – Approved with modifications.

11. Public Comment

- Davie Tucker, President of the Interdenominational Ministers Fellowship (IMF):
 - The 2 shots fired by an MNPd officer with a high-powered rifle on a body lying face down on I-65 was criminal.
 - Glad that the recommendation by the COB is to fire the Officer in CC2020-025.
 - In CC2021-045, the COB missed the point. The Community has been screaming for years for the decriminalization of mental health issues. This arrangement with Mental Health Co-op shows there are still problems with the MNPd-Mental Health Coop relationship. Organizations like the NOAH, IMF and NAACP have been working toward a better relationship. I am concerned that the Mental Health Co-op which is supposed to be working on behalf of the mental health side seems to be encouraging the officer to arrest.
 - I'm encouraged by the discussion of the Board. Thank you for reading these reports. I wish everyone in the community could witness your thoughtful and earnest discussion around these. Thank you for your service to the community.

12. New Business / Announcements

- Dr. Vielehr said farewell and thanks to everyone in anticipation of his resignation.

13. Adjourn

Member Abdullah moved to adjourn the meeting, member McCree second the motion, and it was unanimously approved.