



September 2022 COB Executive Director's Monthly Report

Executive Summary

MNCO Office—The COB office is open to the public Monday thru Friday from 8:00-4:30 PM. Citizens have the option of meeting with staff in-person, by telephone or virtually. Complaints can be made online at: CommunityOversightBoardComplaints@nashville.gov and public comments can be left at Community@nashville.gov.

MNCO Personnel Update—ED Fitchard completed the first round of interviews for the investigator and social worker positions. The 2nd interview process is underway, and a selection will be made soon. Fitchard is moving forward on filling the vacant FTEs as quickly as possible.

- Fitchard was out of the office from August 25 to September 5, 2022, and from September 11, 2022, to September 16, 2022.

Community Oversight Board Committee Meetings—The Executive and MOU Committees met on Thursday, September 22, 2022. Executive members present: Milliner, Goddard, Holloway. Absent: Hildreth, Whitsell.

- The next MOU committee meeting is scheduled for Thursday, October 6, 2022, at 5:00 PM.

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

- ED, Community Liaison and two MNCO Investigators attended NACOLE's 28th National Conference in Ft Worth, Texas on September 11-15, 2022.
- ED Fitchard attended Cornell University's Keynote Webinar; Crisis Management: "Thinking About the Unthinkable."
- NACOLE is hosting a virtual training, "Evidence Based Policing" on Tuesday, October 11, 2022, at 12:00 PM CST. MNCO will sponsor any Board Members interested in attending.

Meetings—

- MNPDP's Interpersonal Crimes Branch (ICB) Monthly Meeting
- Department Head and Elected Officials Monthly Meeting
- Metro Human Resources Coordinators Meeting (Robinson present)
- Behavioral Health and Wellness Advisory Committee Ad-Hoc Meeting (Crowell-Williamson present)

Community Outreach—ED Fitchheard and Community Liaison, Demica Robinson, were invited to WFSK Radio (Jazzy 88.1) to share COB information with the public. Fitchheard was co-presenter with former COB Chair Arnold Hayes at the NAACP's 76th Annual TN State Conference State Convention. Fitchheard and Robinson attended the Mayor and MNPDP Chief John Drake's Community Safety Update and Roundtable Discussion in the JC Napier Community. Robinson spent time in the JC Napier and Tony Sudekum communities encouraging residents to attend the September COB meeting. Robinson made contact with MNPDP's Deputy Chief Greene and was connected to MNPDP's Community Coordinators through the Community Services Branch.

COB Board Meetings—MNCO's next monthly Board meeting will be in South Nashville. The meeting date & locations is:

- October 26th Coleman Community Center, 384 Thompson Lane, Nashville. It's located at the intersection of Thompson Lane and Nolensville Rd. CL Robinson will begin outreach in the Southeast Community to prepare for the October Board meeting.
- Board will need to choose dates for November and December 2022.

MNCO Legal Resources—Legal Resource Advisor Yoon is out of the office until the end of September 2022.

MNCO Research—Research Analyst Gavin Crowell-Williamson reports he attended six trainings/webinars related to research, grant funding, incarceration of the mentally ill, public safety and information technology. He also made contact with numerous oversight agencies that audit/monitor BWC video footage and conducted interviews with them to determine best practices. He attended multiple SAMSHA GAINS events related to behavioral health. He continues to work on COB Policy Advisory Reports and reviewed audit reports for the Board related to the MNPDP BWC audit.

MNCO Investigations—The investigation's team expansion will make a significant mark on clearing out the backlog of cases from previous years while continuing to move forward on 2022 complaints.

Complaints—The MNCO continues to receive calls from the public to initiate complaints of alleged misconduct by MNPDP officers. The MNCO received a total of 3 investigative complaints since the last Board meeting in August. MNCO received a total of 12 non-complaint/contact calls for service and issued no dispositions related to MNPDP misconduct in September.

MNPDP Records Update—The MNCO investigators submitted 4 requests for MNPDP records and reported no issues receiving the information.

BWC Audio Redaction Update—MNPDP sent a BWC audit record on 9/15/2022 and 9/23/22. They have completed their audit of the BWC and ICC videos that were requested and sent to the MNCO. MNPDP's unredacted update is below:

“With the audio redaction audits complete, we have delivered the audit logs for a total of 47 MNCO requests (40 audit files). Within these 47 requests, we have audited 343 individual BWC/In-Car Camera videos. 71% of those videos had no audio redactions, and only 3 were found to have had profane words muted. The last of these 3 videos was redacted on the MNCO request which was completed and delivered to MNCO on 9/15/2021. Past that date, we found no audio redactions of profane words.”

MOU—The COB MOU Committee met and discussed the current MOU between COB and MNPDP. A letter from the Board Chair was sent to Chief Drake requesting a meeting with proposed dates to begin negotiations and we are awaiting his response. Fitchard will also seek MOUs with Vanderbilt and Park Police Departments. Both agencies are under MOU agreements with MNPDP.

Force Review Board—Two Force Review Board hearings are scheduled for the month of September. Investigator V. Johnson attended the hearing on September 1, 2022, in ED Fitchard's absence. The next is scheduled for Thursday, September 29th.

Metro Legal—Metro Legal sent an opinion related to the questions posed by the Board and Executive Committee that centered around the Board's ability to seek an external investigation regarding MNPDP's editing of Body Worn Camera Video footage sent to the MNCO. The opinion memorandum will be discussed at September's Board meeting. Additionally, ED Fitchard asked Metro Legal to provide an update related to a Metro Human Resources issue regarding MNCO's voter registration requirement/restriction for person's seeking employment with the MNCO. She is waiting for a response from Metro Legal.

JIS—ED Fitchard reached out to JIS's executive director to get an update related to MNCO moving to the JIS platform and building out a new case management system. She is waiting for a response from the JIS Policy Committee.

MNCO Relocation—ED Fitchard contacted Metro's Property Director to request the MNCO be included in property relocation efforts. Fitchard sent an email to the property director detailing the issues of the MNCO location and requested to be moved to the priority list if possible.

NCRC—The Nashville Conflict Resolution Center (NCRC) executive director, Sara Figal, invited the COB to be her guest for the annual Mediation Matters Breakfast Fundraiser. Board Member Joe Brown, ED Fitchard, Researcher Gavin Crowell-Williamson, and Community Liaison Demica Robinson attended.

Citizen's Police Academy—The Citizens Police Academy (CPA) is in session until November 15, 2022. We have 4 Board and staff members in attendance.

NAACP—The Tennessee State Conference of the NAACP (also called the Tennessee NAACP) is calling for an investigation by the U.S. Department of Justice into the potential misconduct of the Metropolitan Nashville Police Department. A recent inquiry into police officer misconduct by the Nashville Community Oversight Board discovered that MNPDP handed over altered video footage that may have been critical to the COB’s investigation. (see attached letter).

Tennessee State Conference of the NAACP
Gloria J. Sweet-Love, President



Immediate Release
August 24, 2022

Tennessee—The Tennessee State Conference of the NAACP calls for investigation into the conduct of the Metropolitan Nashville Police Department, including the potential involvement of the Department of Justice.

The Tennessee State Conference of the NAACP (also called the Tennessee NAACP) is calling for an investigation by the U.S. Department of Justice into the potential misconduct of the Metropolitan Nashville Police Department. A recent inquiry into police officer misconduct by the Nashville Community Oversight Board discovered that MNPDP handed over altered video footage that may have been critical to the COB’s investigation.

When the COB discovered the altered video, MNPDP initially downplayed the incident. After pressure, MNPDP reprimanded two civilian employees allegedly responsible for the video editing. It then announced an internal investigation of the incident.

Yet, an internal investigation is bias and lacks accountability. It fails to address the larger questions: How widespread is the practice of altering video footage in MNPDP? Is MNPDP altering video footage for purposes of thwarting COB investigations and civil rights complaints? And have altered videos been unfairly used in criminal investigations?

Answering these issues are important to public safety and to maintaining the trust and confidence between MNPDP and over-policed communities. MNPDP cannot investigate itself. An external review or inquiry by the Department of Justice is the next step to addressing alleged misconduct.

Our call for an external investigation is magnified considering the recently filed civil rights lawsuit by Ms. Jill Fitchard, the Executive Director of the COB, alleging harassment and retaliation by the Metro Nashville government. Among other things, she claims that Metro Nashville government officials may have monitored her work and private phones.

In 2020 the Silent No Longer organization, a group of MNPDP personnel, also reported systemic patterns of sexual assault and harassment, gender discrimination, and retaliation. It is still unclear if the group’s concerns were addressed.

We call on Mayor Cooper and the Metropolitan Nashville Council to invite the U.S. Department of Justice to Nashville for a top-to-bottom review of MNPDP practices. Even though there have been some improvements in policing practices under Chief John Drake, overall, MNPDP is still resistant to making significant changes in police accountability.

FOR MORE INFORMATION CONTACT:
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This concludes the September 2022 Executive Director’s Report.