

Community Review Board

MEETING MINUTES

Monday, February 26, 2024 at 5:00 pm

Howard School Building, Sonny West Room

700 2ND Ave, S., Nashville, TN 37210

Attendees:

- **Board Members in Attendance:** Alisha Haddock (Chair), Mary Beard, Joe Brown, Drew Goddard, Walter Holloway, and Mark Wynn. Absent: Shawn Whitsell.
- **CRB Staff in Attendance:** Jill Fitchard (Executive Director), Keturah Barnett (Administrative Services Manager), Demica Cash (Community Engagement and Outreach Specialist), and Katherine Rule (Research Analyst).
- Wally Dietz (Metro Legal Director), Kathy Morante (MNPD Office of Professional Accountability Director) and members of the public.

1. Call to Order:

Chair Haddock called the meeting to order.

2. Reading of the Appeals Statement:

Chair Haddock read the appeal statement pursuant to Section 2.68.030 of the Metropolitan Code.

3. Establish Quorum:

Board Member Goddard, as Secretary, confirmed the presence of a quorum.

4. Remarks by Metro Legal Director Dietz:

- Metro Legal Director Dietz noted the robust discussion, and some disagreement, at the prior Board meeting about the facts surrounding the question of whether there is any basis for Metro to sue the state over the statute that removed significant powers from the CRB. He noted that Associate Law Director Lora Fox expressed her frustration and started to leave the meeting, and that expressing her frustration in that way offended many at the meeting. On behalf of Attorney Fox, himself, and the Metro Department of Law, Director Dietz apologized without qualification. He stated that he is hopeful that we can move forward and looks forward to a working relationship with the CRB in a constructive fashion.
- Board member Brown noted that the CRB proposed budget includes an item for an outside attorney, and asked Director Dietz who pays for an outside attorney if it is

decided the CRB needs one, and whether the CRB has authority to hire an outside attorney if Metro Legal determines there is not a conflict. Director Dietz responded that the state law requires the CRB to utilize the city attorney unless there is a direct conflict, in which case he would declare a direct conflict and permit the CRB to obtain independent counsel at the expense of Metro Legal.

- Chair Haddock asked about any instances where a Metro department was paying for outside counsel. Director Dietz gave one example where outside counsel with specialized tax expertise had been approved to advise one department and noted that the Metro Charter requires that the Legal Director of Law direct all legal services for every Metro Department agency and commission, and that there would need to be something extraordinary to deviate from this mandate in the Metro Charter.
- Chair Haddock thanked Director Dietz for his attendance and apology. Chair Haddock stated she understands this has not been an easy road for the CRB being under attack by the Tennessee State Assembly. Director Dietz stated he would follow up with Chair Haddock to plan a meeting to discuss options for Metro Legal representation for the CRB.
- Director Dietz informed the Board he has authorized independent counsel for the CRB, to be paid by Metro Nashville Law Department, to negotiate a Memorandum of Understanding (MOU) with the Metro Nashville Police Department (MNPD).

5. Approval of Minutes:

Executive Director Fitchard noted three typos in the proposed minutes of the of the January 29, 2024, Board meeting that had been circulated. Board Member Goddard moved, and Board Member Brown seconded, approval of the January 29, 2024, minutes the with corrections noted by ED Fitchard. The motion was approved unanimously.

6. Chair Remarks:

- Chair Haddock thanked the public for their attendance and community engagement. She noted the exceptional attendance and robust conversation during the CRB meeting on January 29, 2024. She also stated the exceptional support of the National Association for the Advancement of Colored People (NAACP) after that Board meeting, including a meeting among the NAACP, representatives of the CRB, and the Metro Legal Director Wally Dietz.
- Chair Haddock stated the CRB will continue to engage in hard conversations of what policy accountability will look like in Nashville and Davidson County. Chair Haddock stated to the public their presence in the meeting speaks volume to ensuring that fairness, equity, and justice are exhibit throughout local government and how the CRB engages in public safety.

7. Public Comment:

There was one public comment, by Timothy Hughes of the NAACP.

8. Executive Director's Report & Presentation:

- Executive Director Fitchard updated the Board on the following:
 - The recent MOU Committee meeting that was held at the Bordeaux Library on February 23, 2024. Board Member Goddard commented on the status of the MOU.
 - Meetings she attended and interviews for the Assistant Director position.
 - The move of CRB Staff to a new office. She stated the lease agreement has been finalized and must be approved by Metro Legal before it can be voted on and finalized by Metro Council.
 - The Justice Integration Service (JIS) platform.
 - Contact calls and complaints received in January 2024.
- ED Fitchard noted that the Board has not yet adopted any bylaws or rules.
- ED Fitchard acknowledged the attendance of MNPD Office of Professional Accountability Director Kathy Morante, in the absence of Commander Carlos Lara.
- ED Fitchard provided an informational presentation on the data of police violence regarding who collects the data, why its collected, and how the data can shift the narrative of policing.

9. Research Team Policy Advisory Report:

- Research Analyst Katherine Rule presented the Police Advisory Report: Use of Force Presentation with finalized data. The presentation included:
 - updates regarding descriptive analysis on the use of force data in reference to disparities on race, youth, and gender toward victims violated, by police officers age, gender, and race.
 - the 13 recommendations to MNPD in the Report.
- Research Analyst Rule responded to Board member questions following her presentation.
- Board Member Beard stated her analysis on the Use of Force presentation as she provided a historical background including who African Americans were in Africa before slavery, the effects on Blacks of slavery and the Jim Crows laws, the struggles of Blacks during the Civil Rights era, and the continuing and degrading effects on Blacks of

systematic disparities in housing, in schools, in employment, in how Blacks are policed, and in rates of incarceration.

- Board Member Brown moved, and Board Member Beard seconded, approval of the finalization of the Use of Force Report. The motion was approved unanimously.

10. Budget:

- Board Member Goddard updated the Board on the CRB FY 2025 budget.
- CRB Administrative Service Manager Keturah Barnett provided the Board an explanation of the CRB merit increases and the proposed budget that was presented to the Mayor's office on February 9, 2024. In discussion, it was noted that the Board does not set the Executive Director's salary, which is set by the Mayor.
- Board member Goddard moved, and Board Member Wynn seconded, approval of the FY 2025 budget as circulated to Board members but with the line item for Professional Services changed to \$100,000, and noting that Board is not taking any action with respect to the Executive Director's salary. The motion was approved unanimously.

11. Other Board Discussion:

- Board Member Goddard updated the Board on the MOU process with the MNPd.
- Chair Haddock stated the Board will send correspondence to MNPd Chief Drake and Mayor O'Connell in March or April 2025 to request a meeting to discuss the draft of the MOU with the CRB and MNPd.

12. New Business/ Announcements:

- Research Analyst Rule announced there will be a sexual misconduct public forum hosted on March 12, 2025, from 5:00pm-7:00pm, at the East Park Community Center. This will be a community conversation around sexual misconduct to review the findings and recommendations and obtain the community input.
- Chair Haddock noted that the CRB will be sending out invitations for this forum to organizations and specific community organizations that deal with sexual assault, domestic violence, and sexual violence issues.
- Board Member Beard noted she is also a board member on the Sexual Assault Center and plans to invite Board members to attend the sexual misconduct forum at its next meeting.

13. Adjourn:

The meeting adjourned at 6:57pm.