

Community Review Board
MEETING MINUTES
Monday, August 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), Joe Brown, Drew Goddard, Walter Holloway, Shawn Whitsell, and Mark Wynn.
- **CRB Staff in Attendance:** Jill Fitchard (Executive Director), Kim Risby (Assistant Director), Keturah Barnett (Administrative Services Manager), Demica Cash (Community Engagement and Outreach Specialist), Kevin Welch (Media Content Manager), Dylan DePriest (Policy Analyst), Ansley Potter (Senior Research Analyst), Travis Stratton, (Research Analyst), Amy Simmons (Compliance Monitor), Kayla Pillow (Compliance Monitor), Angela Williams (Compliance Monitor).
- Nicki Eke (Metro Legal Attorney), Commander Carlos Lara (Metro Nashville Police Department), attorney Frank Brazil (Brazil and Clark, PLLC), 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. Approval of Minutes:

Board Member Brown moved for the approval of the minutes of the July 22, 2024, Board meeting. Board Member Goddard seconded the motion and it was approved unanimously.

5. Chair Remarks:

Chair Haddock welcomed everyone to the meeting. Chair Haddock informed the Board they would hear a report of the first negotiation meeting for a Memorandum of Understanding (MOU) between the Community Review Board (CRB) and the Metropolitan Nashville Police Department (MNPD). Chair Haddock informed the Board the agenda included an update on the Sexual Misconduct that a recommended policy for MNPD and noted that detailed research information is included in this report. Chair Haddock thanked Mayor O'Connell and a host of agencies for supporting the CRB.

6. Public Comment:

- One member of the public provided comments.

7. **Executive Director's Report:**

Executive Director Fitchard's report included the following:

- Updates:
 - **Move to New Offices:** ED Fitchard informed the Board regarding the CRB's new location from the Washington Square building to 401 Church St. Ste 1300, Nashville, TN. 37219. She thanked General Services, staff, the Board, Mayor O'Connell, and others who were vital to the CRB move.
 - **Complaints:** The CRB received 9 complaints for August 2024, and 3 pending cases. The CRB received 2 commendations from the public who had good experiences with police officers.
 - **Outreach:** ED Fitchard updated the Board on Community Outreach events.
 - **Personnel:** ED Fitchard updated the Board on 2 open positions for Compliance Monitors.
 - **MOU:** ED Fitchard updated the Board on the status of the MOU negotiations.
 - **Other information:** ED Fitchard informed the Board that (i) the CRB will present the Sexual Misconduct Report to the Counsel Women's Caucus on August 27, 2024, and (ii) the upcoming National Association for Civilian Oversight of Law Enforcement Conference (NACOLE) will be held on October 12-17, 2024.

Board Member Brown moved for the approval of ED Fitchard's executive report. Board Member Goddard seconded the motion it was approved unanimously.

8. **Administrative Case Closures:**

- **Case no. CC2023-024:** ED Fitchard presented to the Board a proposed report with CRB compliance monitor findings and an ED recommendation that, "The OPA [MNPd's Office of Professional Accountability] investigation is satisfactory, however, NCRB [CRB staff] recommends that OPA provide specific dates and times when attempting to contact complainant's and those outcomes." The complaint was closed as a matter of record by OPA due to its inability to contact the complainant. NCRB agrees the complaint should be closed for this reason. Chair Haddock moved approval of the report and recommended case closure. The motion was seconded and approved unanimously.
- **Case no. CC2023-033:** ED Fitchard presented to the Board a proposed report with a review of OPA findings, CRB compliance monitor findings, and an ED recommendation that, "Although the OPA investigation or matter of record is satisfactory, the Executive Director recommends that OPA provide all files reviewed for their investigation and any documents that are referred to as an electronic attachment or a link, the NCRB compliance monitor shall be given access to the link, or OPA provide hard copies of the documents with the file." OPA had closed the complaint as a matter of record due to their findings of this not being a complaint against an officer but a request for assistance. OPA reported that MNPd and the complainant came to an agreement

regarding the assistance requested. The complainant could not be reached to confirm his satisfaction with this agreement. Board Member Brown moved approval of the report and recommended case closure. Board Member Wynn seconded the motion and it was approved unanimously.

- **Case no. CC2024-005:** ED Fitchard presented to the Board a proposed report with CRB compliance monitor findings and an ED recommendation that the case be closed because it is outside the CRB's jurisdiction. The complaint related to events in Memphis, Tennessee. The case was not referred to OPA. The complainant was informed the complaint is outside the jurisdiction of the CRB and provided contact information for the Memphis Law Enforcement Review Board. Chair Haddock moved approval of the report and recommended case closure. The motion was seconded and approved unanimously.
- **Case no. CC2024-050:** ED Fitchard presented to the Board a proposed report with CRB compliance monitor findings, and an ED recommendation that the case be closed because the NCRB unable to reach the complainant. This case was not referred to OPA for the same reason. Board Member Brown moved approval of the report and recommended case closure. Board Member Whitsell seconded the motion and it was approved unanimously.

9. Board Discussion:

- Sexual Misconduct Policy Report:

Research Analyst 2 Ansley Potter and Policy Analyst Dylan DePriest updated the Board on the Sexual Misconduct Policy Report. Board Member Brown moved for the approval to accept the sexual misconduct policy report with an amendment to send copies of the policy report to Mayor O'Connell, Chief Drake, Metro Council, and media outlets. Board Member Wynn seconded. The motion was approved unanimously.

- MOU Negotiations:

Board Member Goddard updated the Board on the Memorandum of Understanding negotiation meeting with MNPD and the progress that has been made. The CRB attorney for this negotiation, Frank Clark of Brazil Clark, PLLC, provided an additional update. Attorney Brazil informed the Board of the timing for a second meeting with MNPD. ED Fitchard updated the Board on the MOU process regarding Standard Operating Procedures (SOP)s. Board Member Goddard, Attorney Brazil, and ED Fitchard agreed the MOU negotiations with MNPD went well.

- CRB Board Vacancy:

ED Fitchard updated the Board on the process for filling the vacant Board seat. Chair Haddock encouraged anyone interested and willing to serve on the CRB Board to apply for the vacant seat online on the Metro Nashville website. Chair Haddock also encouraged interested parties to contact ED Fitchard for further instructions. Board Member Brown suggested sending the vacancy notification to community organizations.

- Legal Representation Proposal:

ED Fitchard had provided Board members with a proposed Agreement Between Metropolitan Government of Nashville and Davidson County and Brazil Clark, PLLC for Additional Counsel and Consultation Services. Board Member Brown noted two concerns he had that were addressed in a discussion he had with Attorney Brazil (i) to gain clarity on whether Brazil and Clark, PLLC would be present at the CRB board meetings and ad hoc committee meetings as legal representation for the Board (they will), and (ii) whether confidential documents would remain confidential between attorney and client and not be shared with public or Metro Department of Law. Attorney Brazil stated that the lawyer-client privilege sits with the client and is the client's to waive; that the client is the CRB and the lawyer is Metro Legal; and that he can envision scenarios where he would need to share materials with the Director of the Law Department, although it's been expressed by the Director of the Law Department that he routinely holds information without sharing it with other entities that have their own counsel, like the MNPd.

Board Member Brown moved that the Board accept the proposed Agreement. Board Member Goddard seconded. After discussion, the motion was approved unanimously.

Chair Haddock noted the Agreement will be sent to Metro Nashville Law Director Wally Dietz and the Metro Nashville Clerk, for signing.

10. New Business/Announcements:

- Board Member Holloway informed the Board that all candidates applying for the Board vacancy should submit their applications by December 2023, so that the nominating committee can make the selection by January 2025.
- ED Fitchard updated the Board on the CRB retreat held on Saturday, August 17, 2024.
- ED Fitchard informed the Board she will meet with strategic planner David More on September 10, 2024.
- ED Fitchard informed the Board the CRB will be hosting a CRB Community Appreciation Bash at the Hartman Park Community Center on September 14, 2024, from 10 am-2 pm.
- ED Fitchard informed the Board of her discussion with Walter Atkinson from the Department of Justice Conciliation Services regarding his attendance at the September 2024 CRB Board meeting.

11. Adjourn:

The meeting adjourned at 7:36 p.m.