

Community Review Board

MEETING MINUTES

Monday, September 23, 2024, at 5:00 pm

Howard School Building, Sonny West Room

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

Attendees:

- **Board Members in Attendance:** Joe Brown, 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), Travis Stratton, (Research Analyst), Amy Simmons (Compliance Monitor), Kayla Pillow (Compliance Monitor), and Angela Williams (Compliance Monitor).
- **Absent:** Chair Alisha Haddock, Board Member Drew Goddard.
- Attorney Frank Brazil of Brazil and Clark, PLLC; Commander Carlos Lara of Metro Nashville Police Department (MNPd), and members of the public.

1. Call to Order:

Vice Chair Brown called the meeting to order.

2. Reading of the Appeals Statement:

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

3. Establish Quorum:

Vice Chair Brown confirmed the presence of a quorum.

4. Approval of Minutes:

Board Member Whitsell moved for the approval of the minutes of the August 26, 2024, Board meeting with the date correction changed from December 2023 to December 23, 2024. Board Member Wynn seconded the motion, and it was approved unanimously.

5. Chair Remarks:

Vice Chair Brown expressed the Board's appreciation to Councilwoman Joy Styles for supporting the sexual misconduct report at the last council meeting. Vice Chair Brown noted that the CRB has worked long and hard on the Zero Tolerance Sexual Misconduct Report to the Metro Nashville Police Department (MNPd). Vice Chair Brown noted that the report is not limited to one agency, because it can happen anywhere and everywhere. Vice Chair Brown also noted there need to be appropriate policies that clarify what sexual misconduct is, how it can be reported, describing effective methods to investigate claims to determine their validity, and if valid how to take remedial action. Vice Chair Brown informed the Board that they will get an update on the MOU agreement.

6. Public Comment:

There were no public comments.

7. Executive Director's Report:

- Executive Director Fitchard updated the Board on the Zero Tolerance Sexual Misconduct Policy press conference. ED Fitchard thanked Silent No Longer, NOAH, and The Women's Caucus of the Metro Council for their support and voting on the resolution.
- ED Fitchard informed the Board that the CRB is working toward MNPD's implementing the Zero Tolerance Sexual Misconduct Policy. ED Fitchard informed the Board, that she will meet with Chair Haddock and the community to determine next steps to working with the MNPD regarding implementing the policy.
- Updates:
 - **Personnel:** ED Fitchard updated the Board on recent interviews for the 2 vacant Compliance Monitor positions.
 - **Complaints:** ED Fitchard informed the Board that the CRB received 10 complaints since the last Board meeting, and 50 contact calls this month. ED Fitchard informed the Board that the community is utilizing the CRB's services.
 - **Outreach:**
 - ED Fitchard noted that the CRB will be conducting more outreach to the community, sharing and educating the public about department. This will include being at the following events: Cayce, Stratford, and Martha O'Bryan cookout on Friday, October 4; Celebration of Nashville Cultural Festival at Centennial Park, on Saturday, October 5 from 10 am-6 pm; Stop the Bullying Walk at Hadley Park on Saturday, October 19 from 10 am-1 pm; and North Nashville Bash at Urban Housing Solutions on Saturday, October 26 from 11 am-3 pm.
 - ED Fitchard informed the Board that the CRB Fall Festival at Hartman Park Community Center has been postponed until November 2, 2024. ED Fitchard invited the CRB Board members to participate in the Salvation Army Angel Tree initiative for the youth and seniors. She noted that the CRB is working toward a Thanksgiving event to serve at one of the homeless shelters. She encouraged the Board to participate in these events.
 - ED Fitchard informed the Board that Board Member Wynn received a personal invitation from the White House and attended the President's event commemorating the 30th anniversary of the enactment of Violence Against Women Act in 1994. Board Member Wynn noted that when he was a Senator, President Biden helped write the bill. Board Member Wynn also noted the event was a 2-day panel of discussion and a gathering of people who have worked in the field for years.
 - ED Fitchard informed the Board that Chair Haddock started a new position as Executive Director of Neighbor 2 Neighbor.
 - ED Fitchard thanked Commander Lara for his presence. She informed the Board of the National Association for the Civilian Oversight of Law Enforcement (NACOLE) Conference in Arizona on October 13-17, 2024.

- Board member Holloway asked what it takes to finalize the hiring process for the two new Compliance Monitors. ED Fitchard said once their background checks and references come through, they should start sometime between the first and third week in October.
- Board member Whitsell inquired about the CRB having an open house to notify the public of the new office location. ED Fitchard said the CRB plans to do a meet and greet sometime in December 2024.
- ED Fitchard informed the Board that Attorney Frank Brazil with Brazil Clark, PLLC is now the CRB legal advisor.

8. MOU Negotiations:

Attorney Brazil informed the Board that on Friday, September 27, 2024, he and MNP Council Cynthia Gross agreed to circulate updates to the proposed Memorandum of Understanding (MOU) draft. Attorney Brazil informed the Board that he and Board Member Goddard would capture everything they had discussed. Attorney Brazil informed the Board that the first round of discussions including ED Fitchard; were discussions, about what the CRB was entitled to, and if the CRB would be prioritized when requesting records. Attorney Brazil noted that an attachment was also included in the MNP proposal from Metro Legal to ensure that the type of records the CRB can receive are spelled out in the MOU negotiations. Attorney Brazil informed the Board that he hopes both parties will come together to ink an agreement in the next MOU meeting on Tuesday, October 22, 2024. Attorney Brazil noted he would request a final agreement on the second round of MOU discussions so the Board can vote on an MOU agreement in the next Board meeting on Monday, Oct. 28, 2024. The Board continued to discuss concerns with the MOU agreement.

9. Investigation Status-61 Page Complaint:

ED Fitchard updated the Board on the 61-page complaint. The Board continued discussion regarding the complaint.

10. Whistleblower Policy Update:

ED Fitchard updated the Board on developing a whistleblower policy.

11. Rules and Bylaws Update:

Attorney Brazil updated the Board on developing new Rules and Bylaws. ED Fitchard informed the Board that two corrections needed to be addressed to the Rules and Bylaws. The Board discussed putting the Rules and Bylaws update on the next Executive Committee meeting on October 23, 2024.

12. NCRB Administrative Case Closures:

- **Case no. CC2023-022:** ED Fitchard presented to the Board a proposed report with CRB Compliance Monitor findings and an ED recommendation that the case be closed without being sent to OPA due to the complainant's withdrawal on the same day it was received (November 29, 2024). The complaint was administratively closed on July 24, 2024. Board Member Holloway moved approval of the report, Board Member Wynn seconded, and the motion was approved unanimously.

- **Case no. CC2024-021:** ED Fitchard presented to the Board a proposed report with the CRB Compliance Monitor findings and an ED recommendation that the case be closed due to the complaint being resolved successfully through mediation, which was confirmed by the complainant. The mediation was through the Nashville Conflict Resolution Center, following an OPA referral. Board Member Wynn moved approval of the report, Board Member Holloway seconded, and the motion was approved unanimously.
- **Case no. CC 2024-040:** ED Fitchard presented to the Board a proposed report with CRB Compliance Monitor findings and an ED recommendation that case be closed due to the complained about officer not being an employee of MNPD. OPA has closed its case for this complaint for the same reason. Board Member Whitsell moved approval of the report, Board Member Wynn seconded, and the motion was approved unanimously.
- **Case no. CC 2024-049:** ED Fitchard presented to the Board a proposed report with CRB Compliance Monitor findings and an ED recommendation that that the case be closed without being sent to OPA due to the complainant's request being beyond what the CRB can address. Specifically, the complainant believed that a traffic ticket he had received had been issued unfairly and requested the CRB's assistance in having the ticket rescinded. The complainant stated that he had a positive interaction with the officer involved. Board Member Wynn moved approval of the report, Board Member Whitsell seconded, and the Motion was approved unanimously.
- **Case no. CC 2024-036:** ED Fitchard presented to the Board a proposed report with CRB Compliance Monitor findings and an ED recommendation that the case be closed due to the complaint did not rising to the level of a formal investigation, no policy violations being identified, and no additional investigation being warranted. On April 11, 2024, the complainant contacted OPA to have the complaint withdrawn. Board Member Whitsell moved approval of the report, Board Member Wynn seconded, and the motion was approved unanimously.

13. New Business/Announcements:

ED Fitchard and Vice Chair Brown discussed whether the Board would continue to receive a 6-month report that tracks the status of complaint cases.

14. Adjourn:

The meeting adjourned at 6:19 p.m.