

MEMORANDUM OF UNDERSTANDING
between
THE METROPOLITAN DEPARTMENT OF EMERGENCY COMMUNICATIONS
and
THE METRO COMMUNITY OVERSIGHT BOARD

The following constitutes an agreement between the Metropolitan Department of Emergency Communications (“MDEC”) and the Metropolitan Nashville Community Oversight Board (COB), through its staff office known as Metro Nashville Community Oversight (“MNCO”), a Metropolitan Government entity. The Agreement is designed to describe the role and responsibilities between the parties.

The primary objectives for this agreement are to establish a process by which MNCO personnel will be notified of a critical incident and for the receipt of records necessary for investigations.

1. THE PARTIES HEREBY AGREE TO THE FOLLOWING TERMS AND CONDITIONS

MDEC agrees to the following:

1. MDEC agrees that, in certain situations, notification procedures as set forth in the MDEC procedures shall apply to the MNCO, who shall receive notification of critical incidents.
2. MDEC agrees to notify MNCO at the same time as MNPDP, in each of the following situations:
 - a. All MNPDP police personnel involved shootings;
 - b. All MNPDP in-custody deaths; and
 - c. Where a person is injured or dies from an incident involving MNPDP.
3. MDEC agrees to provide MNCO, a Metro government department, with the following documents, as requested by MNCO on MDEC Form #001:
 - a. Computer-Aided Dispatch (“CAD”) reports;
 - b. All related radio transmissions to a specific incident or event; and
 - c. Emergency 911 and Non-Emergency call audio reports.

MNCO agrees to the following:

1. MNCO agrees to provide personnel to receive critical incident notifications.
2. MNCO agrees, pursuant to Tenn. Code Ann. §38-8-352(e), to withhold production of confidential documents and information obtained from MDEC.
3. MNCO agrees to withhold any information or documents obtained from MDEC from the COB board members until such time as that information can be presented in a Proposed

Resolution Report. MNCO will still maintain the confidentiality of any of those documents, by properly redacting confidential information where necessary.

4. MNCO agrees to refer any public records requests for documents obtained from MDEC to MDEC as the originating agency of those documents.
5. MNCO agrees to treat documents containing confidential information which was obtained from MDEC as confidential documents themselves.
6. MNCO agrees to notify MDEC if any MDEC records must be produced to a third party, and to allow time, to the maximum extent possible under the law, to allow MDEC to legally intervene in that production, if necessary.
7. MNCO agrees to manage updates of the MNCO notification list in the RAVE Mobile Safety System.

2. TERMINATION

This Agreement can be terminated by either party by providing notice to the other party.

3. AMENDMENT

No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document and mutually agreed between the Parties.

4. NOTIFICATION

All notice to MDEC shall be emailed, mailed or hand delivered to:

Metro Department of Emergency Communications
Director's Office
2060 15th Avenue South,
Nashville, Tennessee 37212
615-401-6320

Notices to MNCO or the COB shall be mailed or hand delivered to:

Nashville Community Oversight Board
Executive Director's Office
222 2nd Avenue North, Suite 370M
Nashville, Tennessee 37201
615-880-1800

5. COMPLETE AGREEMENT

The above provisions reflect the entire Agreement between the parties.

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[Signature Pages to Follow]

METROPOLITAN DEPARTMENT OF EMERGENCY COMMUNICATIONS

APPROVED BY:

Angela Milliken
Director, Metro Department of Emergency Communications

Date

LEGAL:

Cynthia Gross
Assistant Metropolitan Attorney, Metro Legal Department

Date

METROPOLITCAN COMMUNITY OVERSIGHT BOARD

APPROVED BY:

Ashlee Davis
Chairperson, Community Oversight Board

Date

RECOMMENDED BY:

William Weeden
Executive Director, Metro Nashville Community Oversight

Date

LEGAL:

R. Todd Pinckley
Attorney, Metro Nashville Community Oversight

Date