



August 2020 COB Executive Director's Report

Executive Summary

Teleconference Meetings: The COB will continue to have virtual Board meetings in accordance with the Governor's Executive Order extension that allows for electronic meetings until August 29th. The MNCO has a dedicated phone line for Community members to leave a public comment for Board meetings. The telephone number is 629-255-1906 and the voice mail prompts will walk them through the process.

MNCO Office: The MNCO office remained closed to the public during August. The staff continues to telecommute, and the day-to-day business operations are without any interruptions of service. ED Fitchard and AD Clausi have established safety protocols for employees, who on occasion, may need to work from the office.

MNCO Personnel Update: An MNCO Investigator resigned as of Friday, August 21st. AD Clausi has worked with Metro HR to get the position vacancy approved and publicly noticed.

MNCO Training: The MNCO staff is attending the virtual 2020 NACOLE Annual Conference. This year's conference is in the form of 32 webinars that began on July 20th and will end on September 22nd. Up to four webinars will be presented each week and fall under one of the four tracks this year: Innovations and Work, Impacting Civilian Oversight, Jail and Prison Oversight, and the Broader Community Training. Members of the MNCO staff are working toward their credentials to become Certified Practitioners of Oversight. MNCO staff attended a two-day training hosted by the Nashville Conflict Resolution Center titled Legacy of Trauma: The Developmental Trauma of African Americans.

Community Outreach: MNCO Community Liaison, Brensey Thompson, continues to share the latest MNCO-COB information with the Nashville community by using multiple social media platforms. The MNCO newsletter—Stay in the Know—which highlights the work of the MNCO for the community, went live on July 30th. Ms. Thompson is working in collaboration with the Metro Human Relations Commission to host the virtual Community Town Hall meetings for the search of a new police chief. Community Forum #2 will be Monday, August 31 from 5-6:30PM will focus on hearing from Domestic Violence & Trafficking Survivors, Victim's Rights Advocates, and from our Mental Health Communities. The forums are open to all Nashville residents and the meeting information will be posted on our website and social media platforms.

Complaints/Contacts: MNCO continues to receive calls from the public to initiate complaints of alleged misconduct by MNPB officers. The MNCO has received a total of four investigative complaints and assisted with 30 non-complaint calls since the last Board meeting in July.

MNCO Research: The MNCO Research team requested multiple records from MNPB to complete research for the Mayor's Policing Policy Commission. The research team has received the documents since the last Board meeting in July. MNPB sent the requested use of force records to the DA's office for approval and release. The records for cases with Juvenile information is still under review.

Homeless Man Jailed for Mask Mandate Violation: Thursday, August 6th— ED Fitchard was contacted by multiple concerned community members about the arrest of a Black elderly homeless man on Broadway Ave in Downtown Nashville. He was alleged to have not complied with the Public Health Dept's mask ordinance. ED Fitchard reached out to District Attorney General Glenn Funk and Chief Public Defender Martesha Johnson to get more information and to express the community's outrage of the second arrest of a homeless person for issues related to the Metro Health Department's ordinances. Moreover, ED Fitchard raised concern about what appeared to be selective and biased enforcement of the mask mandate on Broadway Avenue. ED Fitchard requested from MNPB all related Roll Call Trainings (policies) related to Metro Health Department's mask mandate and received them from Deputy Chief Mike Hagar.

Proposed Resolution Report: Monday, August 10th— The Executive Committee received a mock PRR and investigation sample to review and provide feedback. The EC and ED Fitchard discussed the reports and next steps in preparation for presentation to the full Board. The Executive Committee approved the Proposed Resolution Report design and format. ED Fitchard will present PRR's to the Board in September.

Body Worn and In Car Camera Update: Wednesday, August 12th—ED Fitchard sent an email to Deputy Chief Hagar requesting an update on the implementation of Body Worn Cameras at the West Precinct. DC Hagar responded that West Precinct installs began on July 27th and are continuing or ahead of schedule. Thirty-Two (32) West Precinct cars have had ICC installs (approx. 33 cars remain), Fifty-Three (53) West Precinct officers have been issued cameras (approx. 40 remain). All reports have been positive with no known concerns and East precinct will be next for implementation. Additionally, DC Hagar sent ED Fitchard a 2020 Virtual National Meeting training opportunity for BWC Technical Assistance hosted by the Bureau of Justice for August 24-27, 2020. ED Fitchard is unable to attend this meeting because of other scheduled conflicts.

Mayor Cooper's Letters to the COB:

Wednesday, August 5th— Director John Buntin sent the Community Oversight Board members a letter of response to Chair Davis' letter to the Mayor dated July 23, 2020. The Mayor's letter addressed the issues of Use of Force Records and newly retired Chief Anderson's unwillingness to answer questions raised by the MNCO research team regarding the COB's immigration policy advisory report.

Thursday, August 13th—Director John Buntin sent the Community Oversight Board members a letter from the Mayor regarding the Policing Policy Commission. The letter gave insight into the PPC and included the Mayor’s support of the Community Oversight Board.

Public Sector Search & Consulting: Thursday, August 13th—ED Fitchard met virtually with Mr. Gary Peterson, who is leading the search for Metro HR, for the hiring of the new MNPd police chief. ED Fitchard and Mr. Peterson discussed the process, the relationship of COB with MNPd, and overall policing practices.

Criminal Justice Steering Committee Meeting: Monday, August 17th—ED Fitchard attended a CJ Steering Committee virtual meeting where Mayor Cooper discussed upcoming initiatives and priorities, Covid-19, Nashville arrests trends, and jail population.

Death in Custody: Monday, August 17th—Capt. Jason Starling, Commander of the Criminal Investigations Division, notified ED Fitchard, that a man died while in the custody of Davidson County Sheriff’s Office (DCSO). The MNPd Cold Case Unit was notified of the death, as is the established procedure, to investigate the occurrence. Capt. Starling also contacted the DA’s Office and TBI and stated that there were no preliminary indications that MNPd was involved. An investigation by the cold case unit is open and an autopsy will be performed by the Medical Examiner. ED Fitchard currently has no further information.

Subpoena Ordinance: Tuesday, August 18th — Metro Council Member Bob Mendes sponsored, along with 14 Co-sponsors, Bill BL2020-401, to set up the process of the COB requesting subpoenas through the Metro City Council. It passed first reading and will head to 2nd reading during the next City Council meeting which is Tuesday, September 1, 2020.

Mayor’s Policing Policy Commission: Wednesday, August 19th—ED Fitchard was invited to attend and address the members of the Commission alongside Mayor John Cooper, Interim Chief John Drake and former Nashville Mayor Karl Dean. Director John Buntin welcomed each member individually and allowed them to give a brief introduction and remarks about their interest and participation on the PPC.

MDHA/MNPd Search Warrant Raid: Wednesday, August 19th—Interim Chief John Drake contacted ED Fitchard about a search warrant served on an MDHA resident and the decommissioning of several MNPd officers. Interim Chief Drake informed ED Fitchard that because of this incident the policy for search warrant approval had changed and that a press conference was going to happen shortly after the phone call. ED Fitchard confirmed that MNCO was investigating this issue. Additionally, Deputy Chief Mike Hagar sent ED Fitchard the updated Roll Call Training entitled, “Search Warrant Approval Required Revision.”

Metro Human Resources: Friday, August 21st— ED Fitchard and AD Clausi spoke with HR Director Shannon Hall, AD Mike Taylor, and Manager Stephen Cain, to discuss Civil Service Rules, Policies, and Procedures regarding Metro employee complaints that are related to equal employment opportunities and workplace conduct issues. The Metro HR is willing to work with all partner agencies and is working with ED Fitchard and AD Clausi toward finalizing a clear and direct path

going forward to address the needs of Metro employees and give them options on how to file complaints regarding the violation of civil rights under Title VII.

Metro Human Relations Commission: Friday, August 21st—ED Fitchard spoke with ED Mel Fowler-Green regarding Metro employees who want to file complaints with Metro Human Relations. The Human Relations Commission has the authority by Metro Charter to investigate Title VII violations. Metro employees have the option to file a complaint directly with the Metro Human Relations Commission, file with Metro Human Resources or with their employment HR office.

Metro Nashville Police Department Human Resources: ED Fitchard reached out to MNPD HR Director Sue Bibb to schedule a meeting to discuss the employee complaint and investigative procedures relating to Title VII complaints and violations. We scheduled a meeting for Tuesday, August 25th. ED Fitchard will update the Board after the meeting. *Update—Tuesday, August 25th, ED Fitchard and AD Clausi spoke to Director Sue Bibbs and Ms. Angela Orsbon regarding MNPD’s HR process and policies regarding Title VII complaints and investigations. Both expressed their willingness to work with the COB and Metro partner agencies to create pathways that assist and address the needs of Metro employees.

Office of Professional Accountability (OPA): Friday, August 21st—AD Clausi spoke with Director Kathy Morante about the complaint and investigative process related to employees filing Title VII complaints. Director Morante stated that the OPA will typically handle those complaints and sometimes pull in or work alongside MNPD HR.

Metro Department Housing Authority (MDHA): Friday, August 21st— ED Fitchard contacted MDHA ED Jim Harbison to discuss issues related to MDHA’s policies regarding resident’s privacy concerns that were voiced to ED Fitchard. Director Harbison stated that he took steps to make certain that residents feel safe in their apartments and has enacted a new policy that will ensure keys will no longer be made available to MNPD without his personal approval even with a search warrant. Additionally, he will send out messaging to residents informing them of his new policy and procedures, and he has a meeting scheduled with Interim Chief Drake to discuss the relationship between his residents and MNPD. ED Harbison and ED Fitchard agreed to meet soon to continue conversations that will benefit the community members who reside in MDHA properties.

Records Meeting: ED Fitchard has a scheduled meeting on Monday, August 24th with Metro Legal Director Bob Cooper, District Attorney General Glenn Funk & Deputy Chief Mike Hagar. This meeting is to discuss MNCO’s ability to receive records that are denied by MNPD because of their citing of Rule 16. *Update—The meeting was postponed due to a scheduling conflict and is set for Tuesday, September 1st at 2PM.