

2019 Annual Report



METRO NASHVILLE COMMUNITY OVERSIGHT BOARD

(615) 880-1800 | www.nashville.gov | 222 2nd Ave. North

NOTE FROM THE CHAIR

Dear Community Stakeholders,

On November 6, 2018 the community of Nashville brought their voices to the ballot and voted to approve the creation of the city's first Community Oversight Board. As a city we arrived here in large part due to the incredible leadership and sacrifices of giants who walk among us every single day. The inspiration of these real-life heroes spread quickly and resulted in an unprecedented level of interest where over 150 candidates were nominated to serve their community as members of the COB.

The purpose and mission of the COB cannot be understated because at its center is the strongest driver for positive change that this or any city has ever known — dedicated community members. It is because of the Nashville community that the 11 individuals elected and confirmed by the Nashville Metro Council to the COB assumed their roles with a solemn seriousness that was unwavering and rooted in a commitment to convene, collaborate, and create with no concept of what might be deemed impossible or improbable by others.

Over the past year, the COB has drafted and finalized Bylaws, Rules and Procedures, established standing and ad-hoc committees, hired an Executive Director and supported our Executive Director through the process of setting up a fully-functioning Metro Nashville Community Oversight (MNCO) office and staff, completed an assessment of the Executive Director role followed by the completion of the necessary steps to ensure that MNCO staff has the continuity and leadership needed for current and future success, completed the Citizen Police Academy and successfully negotiated and approved a Memorandum of Understanding (MOU) between the COB and the Metro Nashville Police Department (MNPd).

As we look ahead, the Board is excited about the opportunities for collaboration that the MOU with MNPd affords all parties involved, and we are also committed to continued transparency and establishing space to activate the voice of Nashville's youth. The future success of the COB is rooted in the engagement of all of Nashville's residents and the COB believes that the full deployment of body-worn cameras is integral to this effort. We will utilize all of our available tools and partnerships to purposefully respond to the concerns of Nashville's residents who feel that this deployment is long overdue.

As a seventh generation Nashvillian, serving as Chair of the COB has been one of the greatest privileges of my life, and I would be remiss if I did not acknowledge and express my sincere gratitude to my colleagues on the COB who have given me their support and trusted my leadership throughout this year. The greatest of my gratitude goes to the Nashville community who has given their time and talents whenever the ask has been made of them. From monthly and special COB meetings, committee and community meetings, requests for comment, and so much more, there has never been a time when the Nashville community has not answered the call to be engaged and for that I am eternally thankful.

In April 1960, during a speech at Fisk University, Dr. Martin Luther King Jr. said that he, "came to Nashville not to bring inspiration, but to gain inspiration from the great movement that has taken place in this community." Dr. King understood the unique greatness of Nashville and its people. Nashville's greatness lies not only in our agreements but also in our disagreements, because our dissenting opinions lead us to forge new roads and possibilities. The COB is just one example of a new road that the city of Nashville has forged together, and we will continue to move forward together.

Regards,

Ashlee J. Davis
Chair, Community Oversight Board
Metropolitan Nashville & Davidson County, Tennessee

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Passage of Amendment 1



Metro Nashville Community Oversight Board (COB) was created through the dedicated organizing efforts of Nashville residents. Community Oversight Now is the grassroots coalition that spearheaded the campaign.

In January of 2018, the Metro Council voted against a public hearing on creating a police oversight board. Undeterred, Community Oversight Now decided on April 4th, 2018—the 50th observance of Dr. Martin Luther King Jr.’s death—to bring the issue directly to Nashville voters as a Metro Charter Amendment. To put the amendment on the ballot, Community Oversight Now and other supportive organizations in Nashville collected 8,269 signatures from Nashville voters. Nashville voters ratified Amendment 1 on November 6, 2018 with 59% of voters in favor and 41% opposed—134,135 votes to 94,055.

The Metro Charter Amendment specified the structure of the COB and the minimum staff that would be hired to support the board. The amendment also included the time frames for appointing Board members and beginning investigations. The Board had to be operational no later than January 31st, 2019 and no later than March 29, 2019 staff should be hired to begin carrying out its duties.

- ### ORGANIZATIONS SUPPORTING AMENDMENT 1
- > Gideon’s Army
 - > Nashville NAACP
 - > Tennessee State Conference of NAACP
 - > Black Lives Matter Nashville
 - > Showing up for Racial Justice (SURJ) Nashville
 - > No Exceptions Prison Collective
 - > Democracy Nashville & Democratic Communities
 - > Workers Dignity
 - > Music City Riders United
 - > Nashville Peacemakers
 - > Justice for Jocques Coalition
 - > The Equity Alliance
 - > SONG
 - > Black Voters Matter
 - > Davidson County Democratic Party
 - > Nashville Libertarian Party
 - > Middle TN Democratic Socialists
 - > AMAC
 - > Our Revolution
 - > Women’s March TN
 - > NOAH
 - > ACLUTN
 - > IMF
 - > Black Veterans for Oversight
 - > Nashville Peace and Justice Center
 - > Veterans for Peace
 - > Metro Human Relations Commission
 - > Metro Public Defender’s Office
 - > TIRRC Votes
 - > Indivisible
 - > Jewish Roundtable

Why Community Oversight?

Protects Civil Rights



Civilian oversight is a developing area of civil rights protection. Oversight practitioners are at the forefront of investigating, reviewing, and auditing individual cases or patterns of potential civil rights violations in areas such as racial profiling, biased policing, the use of deadly force, illegal searches, excessive force, and unlawful arrests.

Supports Effective Policing



Mutual trust and respect between police and communities are critical to effective law enforcement. Civilian oversight increases public trust in police by assuring the public that investigations have been done fairly, thoroughly, and objectively. This improved trust leads to greater public cooperation with law enforcement, and in turn, improves public safety.

Ensures Greater Accountability

One of the primary goals of civilian oversight is to advance fair and professional law enforcement that is responsive to community needs. This is accomplished, in large part, by promoting constitutional policing. Oversight focuses on assessing officer and departmental compliance with local policies as well as state and federal law, and institutionalizing and preserving important reforms. It also aids in evaluating the integrity and effectiveness of internal police accountability systems.



Builds Bridges

Effective policing must be responsive to community standards, values, and needs. Civilian oversight builds bridges between communities and the police forces that serve them by: communicating and cooperating with community and civic leaders before and after major incidents; by assuring the public that investigations of police misconduct have been completed fairly, thoroughly, and objectively; and by conducting independent investigations and reviews to ensure constitutional policing practices. Civilian oversight further acts as a bridge by conveying the concerns and needs of the community to the police, and reporting to the community how the police are performing, which allows the public to trust the police department and its officers and to view them as honest, reliable, and trustworthy. Civilian oversight practitioners are generally not currently-serving police officers, but trained and educated lawyers, investigators, researchers, analysts, and volunteers in your community.

How Can Civilian Oversight of Law Enforcement Help You?

Helps Manage Risk

Civilian oversight is critical to managing a municipality's exposure to risk from lawsuits claiming unlawful actions by individual officers or departmental failures to supervise or train officers. Oversight accomplishes this by ensuring that individual officers who engage in misconduct are effectively investigated and disciplined; by evaluating and proposing improvements to police management and supervision and training; and by reporting publicly on a department's progress in implementing such improvements.



Increases Confidence in Police

Civilian oversight works to increase public trust and confidence in the police. By conducting independent reviews and audits of police policies and practices, and by ensuring that investigations of police misconduct or uses of force are handled fairly and objectively, oversight helps a community to trust that issues are resolved in a way that maximizes the public interest. This trust translates to higher confidence in a police force, and greater cooperation in a department's efforts to prevent and solve crimes.





Supporters of Amendment 1 work to raise awareness of the upcoming vote.

Supporters of Amendment 1 canvass to raise awareness of COB.



Sheila Clemmons-Lee celebrates passage of Amendment 1.

Text of Amendment 1 & TN Law

Article 11 of The Metropolitan Government of Nashville and Davidson County shall be amended by adding Chapter 13 to the following new paragraph at the end thereof:

“Sec. 11.1301 – Created; qualifications, terms and selection of members

There is hereby created The Metropolitan Government of Nashville and Davidson County Community Oversight Board, sometimes in this chapter called “the Board,” to be operational no later than January 31, 2019. The Board shall consist of eleven (11) Members, who are residents of Davidson County and shall serve three (3) year terms without compensation. The Board members must have a demonstrated knowledge of issues pertaining to civil rights and equity, and must have experience with criminal justice and policing practices. Board members are to receive related orientation and training, including the completion of Metropolitan Nashville’s Citizen Police Academy or an equivalent training, and ongoing civil rights and equity training from entities concerned with police oversight. Ineligible persons for the Board and the supporting staff include current employees of any law enforcement agency; anyone who has served in a law enforcement capacity in the past five year; any elected official; and the spouses of the foregoing persons. Seven (7) of the Board members shall be persons who are nominated by community organizations or private petition signed by fifty (50) Davidson County residents and approved by majority vote of the Council. At least four (4) of the seven (7) members must reside in economically distressed communities. Two (2) of the members shall be persons who are nominated by Council Representatives, and then approved by majority vote of the Council. Two (2) of the members shall be persons who are nominated by the Mayor, and then approved by majority vote of the Council. Except for the initial appointees who shall serve at least a one-year (1) term, the successive Board members shall serve staggered three-year terms. The initial Board members shall develop rules for determining staggered terms for the succeeding appointees to the Board.

Sec. 11.1302 – Powers and duties

The Board shall have the following powers and duties, and shall by majority approval adopt procedures for their implementation:

1. The Board shall have the power to investigate allegations that MNPDP officers have committed misconduct against members of the public, as well as issue policy advisory and resolution reports assessing allegations of misconduct by MNPDP, recommendations to agencies involved in public safety and the administration of justice, and have the option of establishing a monitoring program that provides an ongoing review or audit of the complaint process administered by the MNPDP Office of Professional Accountability (“OPA”) or equivalent internal affairs program in MNPDP.
2. Where the Board finds a basis to believe that an officer has committed misconduct in violation of MNPDP policy, the Board may refer such matter to the MNPDP OPA and recommend that discipline be given within the parameters of civil service rules and regulations of article 12 of this Charter. MNPDP shall be required to respond to the Board’s disciplinary recommendations in writing.
3. The Board has the option of forwarding resolution reports that produce factual findings of criminal misconduct and civil rights violations to the District Attorney, the Grand Jury, or the United states Attorney.
4. The Board shall have all powers, including the power to compel, afforded to other metropolitan government agencies, Boards, and entities identified in Section 18.10 of the metropolitan government Charter.
5. The Board shall submit to the mayor, through the director of finance, an annual budget request of no less than \$1,500,000.00 beginning and after the fiscal year 2019-2020, and it shall be the duty of the council to determine if this amount is sufficient for the operation of the Board and staff.

Sec. 11.1301 – Support Staff and Personnel

No later than March 29, 2019 and through a special appropriation lasting through the end of the fiscal year, the Board shall be fully operational and staff by sufficient numbers of personnel in order to promptly, competently, and thoroughly carry out its duties. The salaries and benefits of the following support staff and personnel shall be as fixed in the pay plan adopted pursuant to article 12 of this Charter: Executive Director, Assistant Executive Director, a minimum of three investigators to investigate alleged misconduct and factual matters relevant to the development of policy advisory and resolution reports, a minimum of two research analysts, a minimum of one community engagement liaison to receive and solicit input from community members, and a legal resource advisor.”

We the undersigned registered voters of Metropolitan Nashville, in the county of Davidson, State of Tennessee, hereby request that the above amendment to the Charter of The Metropolitan Government of Nashville and Davidson County be submitted to the voters of Metropolitan Nashville and Davidson County for ratification to be voted on in the election to be held on the sixth day of November, 2018. We request that such amendment be printed on the official ballot.

TENNESSEE CODE § 38-8-312; APPROVED MAY 8, 2019

- (a) The authority of a community oversight board shall be limited to the review and consideration of matters reported to the board and the issuance of advisory reports and recommendations to the duly elected or appointed officials of the agencies involved in public safety and the administration of justice within the jurisdiction for which the community oversight board is established.
- (b)
- (1) A community oversight board does not have the power to issue subpoenas for documents or to compel witness testimony.
 - (2) This subsection (b) does not prohibit the issuance of a subpoena by a local legislative body as otherwise provided by law.
 - (3) A subpoena issued by a local legislative body, on behalf of a community oversight board, must:
 - (A) Be issued pursuant to majority vote of the local legislative body;
 - (B) Not be issued in the form of a blanket authorization, but must specify each document to be produced or witness to testify; and
 - (C) Not be issued for documents that are confidential under § 10-7-504.
- (c) Any employee or member of a community oversight board must be a registered voter, as defined by § 2-1-104(a)(24), of the jurisdiction for which the community oversight board is established.
- (d) A community oversight board shall not restrict or otherwise limit membership based upon demographics, economic status, or employment history.
- (e) Any document provided to a community oversight board that is confidential under § 10-7-504 or any other law shall be treated as confidential and shall not be released to the public.
- (f) By February 1 of each year, a community oversight board shall submit a report to the chairs of the judiciary committees of the house of representatives and senate, including, but not limited to, the following information for the previous calendar year:
- (1) The number and nature of matters reported to the board;
 - (2) The number and nature of reviews conducted by the board; and
 - (3) The number and nature of advisory reports and recommendations issued by the board.
- (g) As used in this section:
- (1) “Community oversight board” means a board or committee established by a local government to investigate or oversee investigation into possible law enforcement officer misconduct or the operations of an agency employing a law enforcement officer; and
 - (2) “Law enforcement officer” has the same meaning as defined in § 39-11-106.

Formation of the Community Oversight Board

The Community Oversight Board is comprised of eleven members: seven nominated by community organizations or private petitions of at least 50 Davidson County residents, two nominated by City Council members, and two nominated by the Mayor. When the board was established in early 2019, it was also a requirement that at least four of the Board members represent economically distressed areas. There were 156 nominees for appointment to the Board.

The first members of the COB were elected and confirmed by the full Metro Council on January 22, 2019 and met for the first time on February 12, 2019. The Board's initial responsibilities were to hire an Executive Director and develop the policies and rules that would govern how the Board operates. Bylaws were developed and approved by the full Board in June 2019. Operational Rules for the Board and staff were adopted in September 2019. All Board documents are available at: <https://www.nashville.gov/Government/Boards-and-Committees/Committee-Information/ID/132/Community-Oversight-Board>

The initial Board members serve staggered terms expiring on January 31st of each year after 2019. Subsequent appointees will serve three year terms.



Mayor Briley speaks to the COB and MNCO staff at Nashville Public Library's Civil Rights Room during a Citizen's Police Academy course.



Rev. Tucker gives a public statement to the Board

COMMUNITY NOMINATED BOARD MEMBERS



Ashlee Davis (Chair)
Term length: 1 year

Vice President, Senior Diversity & Inclusion
Manager, AllianceBernstein



Andrés Martínez (First Vice Chair)
Term length: 3 years

Director of Policy and Communications,
Conexión Américas



Jamel Campbell-Gooch (Second Vice Chair)
Term length: 3 years

Deputy Director, Gideon's Army



Brenda Ross
Term length: 2 years

Retired Social Worker; Community Activist



Danita Marsh
Term length: 2 years (resigned effective Jan.
21 2020)

Professional mediator; former MNPD Officer



Adele Lewis, MD
Term length: 2 years

Chief Medical Examiner of Tennessee



Emmett Turner
Term length: 1 year

Retired Chief of Police for MNP
from 1996 through 2003.

COUNCIL NOMINATED MEMBERS



Matt Sweeney (Secretary)
Term length: 2 years

Attorney, former Judge



Walter Holloway
Term length: 3 years

Retired MNP Officer

MAYORAL NOMINATED MEMBERS



Phyllis Hildreth
Term length: 1 year (reappointed for 3-year
term in Jan. 2020)

Vice President for Strategy and Institutional
Advancement, American Baptist College;
Associate Professor of Conflict Management,
Lipscomb University



Bob Cooper
Term length: 3 years (resigned Nov. 2019)

Director, Metro Nashville Department of Law;
former Attorney General of Tennessee

NEW BOARD MEMBERS IN 2020

Drew Goddard was appointed by Mayor Cooper to replace Bob Cooper, a Mayor-nominated Board member who resigned from his COB position to serve as Metro's Law Director in November of 2019. Mr. Goddard was confirmed and sworn-in by the Metro Council on January 21, 2020. His first COB meeting was on January 22, 2020. He will complete Mr. Cooper's three-year term.

COB Board member Dr. Phyllis Hildreth was reappointed to her position by Mayor Cooper and sworn-in by the Metro Council on January 21, 2020.

Metro Council reviewed applications for three COB vacancies in early January 2020. The final selection of new Board members will be completed on February 4, 2020.



Drew Goddard
Term Length: 2 years

Attorney

THE BOARD'S MISSION

The mission of the Board is to provide an accessible, respectful, independent and effective forum for community participation in the investigation and resolution of complaints of Metropolitan Nashville Police Department (MNP) misconduct; to examine and issue policy recommendations regarding local law enforcement policies and practices; to encourage open and constructive communication and cooperation between local law enforcement and Metro's residents; and to protect civilians' rights and promote professionalism and best practices in the MNP, enhancing community-police relations and creating a safer Nashville.

Staff Selection and Hiring

The mission of the Board is supported by Metro Nashville Community Oversight (MNCO), a department of Metropolitan Nashville Government. The staff positions for the COB's support department were outlined in the Metro Charter Amendment. The department personnel were to include: an Executive Director, an Assistant Executive Director, a minimum of three investigators, a minimum of two research analysts, a minimum of one community engagement liaison, and a legal resource advisor.

As per the COB bylaws, the Board has the authority to hire, employ, and terminate the Executive Director of the MNCO. The Executive Director, in consultation with the Executive Committee of the COB, has the authority to hire and terminate all other employees of the support department.

In April of 2019, the Board appointed William Weeden to be the MNCO's Executive Director. Director Weeden was previously the Deputy Chief Administrator for the Independent Police Review Authority in Chicago. As Executive Director, Weeden led the hiring process for the rest of the MNCO staff. The last of the department's staff was hired in September of 2019, fulfilling the minimum number of staff members outlined in Amendment No.1.

In November of 2019, Director Weeden resigned from his position. Assistant Director Jill Fitchard served as the Interim Executive Director while the Board moved to fill the Executive Director role. On December 4, 2019, the Board voted to appoint Jill Fitchard as the permanent Executive Director for MNCO.



JILL FITCHEARD - Executive Director

Ms. Fitchard began her career as a Police Officer with the Metropolitan Police Department of Washington, D.C. While there, she worked in various roles with assignments in Patrol, Narcotics & Special Investigations, and Special Operations. After moving to Nashville in 1996, she enrolled at Tennessee State University where she graduated cum laude with a Bachelor of Science Degree in Interdisciplinary Studies with a concentration in Criminal Justice and minor in Psychology.

Ms. Fitchard has served the Nashville Community for many years and has held multiple positions that allowed her to engage and connect with the city's residents in many different capacities. She has worked in the criminal justice system for both the Metropolitan Government of Nashville and the State of Tennessee. She has worked as a Case Manager, Probation/Parole Officer, Chief Criminal Investigator and Criminal Justice College Instructor.

EXECUTIVE DIRECTOR'S STATEMENT

The Community Oversight Board (COB) celebrated a dynamic inaugural year. There was the selection of eleven Board members by the Nashville City Council, the establishment of a new Metropolitan Government Office, the creation of Bylaws and Rules, and the hiring of an Executive Director and support staff. The Community Oversight Board showed resilience and commitment even when challenges were present, but with overwhelming community input and encouragement, we made strides towards greater transparency and accountability within the Metro Nashville Police Department (MNPd).

Collaboration among the COB, MNPd, and the Mayor's Office was especially noteworthy. With the support of the community and the partnership with the Mayor's Office and MNPd, we were able to negotiate a Memorandum of Understanding (MOU) of how the two agencies would work together. As we move into a new year, we look forward to cultivating a productive and meaningful relationship between the Nashville community and MNPd.

Our aim is to be a national model for civilian police oversight and proof that effective oversight can lead to purposeful and intentional systemic change and improved trust of law enforcement by the communities they serve.



- Jill Fitchard,
Executive Director

MNCO'S VISION

To listen and be a voice for the community, ensure a culture of accountability within the Metro Nashville Police Department and build restorative relationships between the MNPd and members of the public throughout Davidson County.

MNCO'S VALUES

TRANSPARENCY

- Maintain honest and open communication with all stakeholders and public
- Dispense relevant information to the public in a timely and professional manner
- Communicate openly and effectively investigations, conclusions and recommendations

ACCOUNTABILITY

- Ability of our team and board to honor our commitments to the public, to police officers and to each other
- Take ownership of our work and promptly correct mistakes to the greatest extent possible
- Measure ourselves against the highest standards of integrity and fiscal responsibility

TRUSTWORTHINESS

- Act in a manner that builds trust with our stakeholders, the community and the police department
- Remain honest, open, truthful and fair during our investigation process, reasoning and conclusions
- Provide unbiased and reputable information to the public

In-House Legal Counsel

Todd Pinckley started as the Legal Advisor for Metro Nashville Community Oversight on June 17, 2019. In addition to providing legal guidance and advice to the Community Oversight Board and its staff, Todd has assisted the Board with entering into several MOUs with Metro agencies — including the Metro Public Health Department and the Davidson County Medical Examiner — which coordinate the release of records and the availability of witnesses for interview. As a part of creating a new government agency, Todd also developed and drafted new Standard Operating Procedures to govern complaint intake, investigations, and the drafting and presentation of Resolution Reports and Policy Advisory reports. Mr. Pinckley also assisted the Board in the drafting of its rules and the Memorandum of Understanding with MNP and reviews all Board documents for legality.



R. TODD PINCKLEY - Legal Advisor

Prior to joining Metro Nashville Community Oversight, Mr. Pinckley held multiple positions within state government, including serving as a litigation attorney with the Division of Healthcare Finance and Administration and as an Assistant General Counsel with the Department of Health. At the Department of Health, he advised the Board for Social Work Licensure and the Board for Licensed Professional Counselors. In addition to serving as an advisor, he also prosecuted healthcare professionals for ethical and practice act violations. Most recently, Mr. Pinckley served as an Administrative Judge with TennCare.

Administrative Support

As a department of the Metropolitan Government of Nashville & Davidson County, MNCO personnel includes an Executive Assistant who assists with a variety of administrative tasks. An Executive Assistant was not included in the text of Amendment 1 but was added by the Board. Ms. Person has played a crucial role in helping MNCO find its footing as a new government agency. Ms. Person has a wide range of responsibilities including acting as MNCO's human resources representative, monitoring the department's budget, ordering and maintaining office equipment, and preparing for public meetings.



PAULA PERSON - Executive Assistant

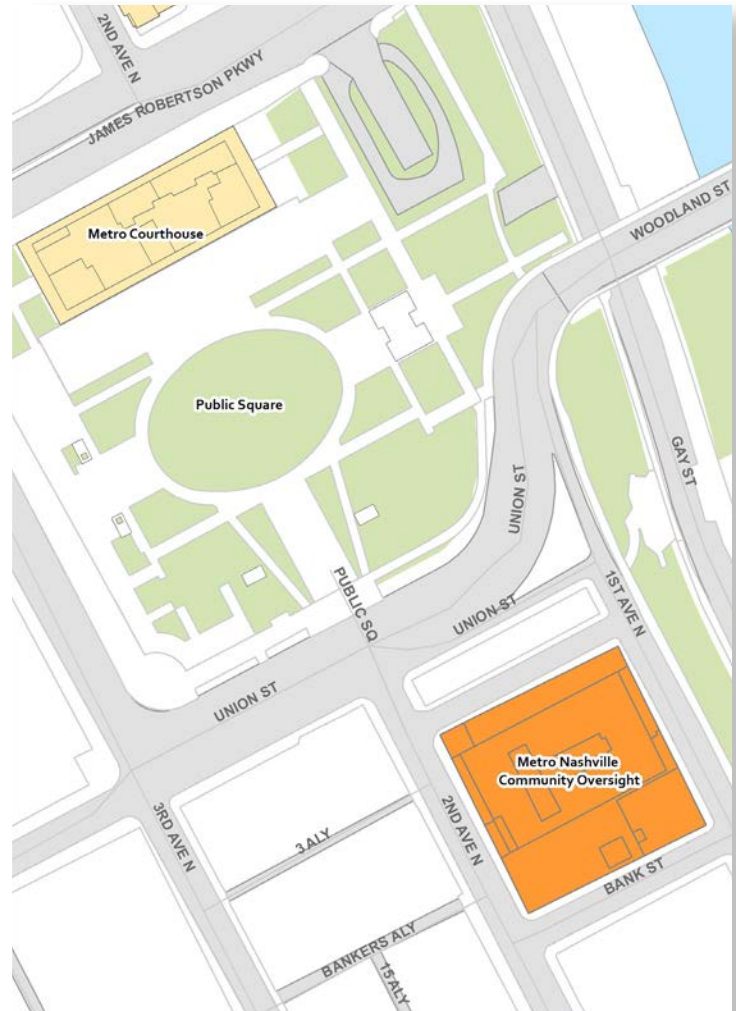
Prior to coming to the Metro Nashville Community Oversight, Ms. Person was employed with the Metro Historical Commission as the Office Manager. She has her Bachelor of Science Degree in Business Management and holds an MBA degree.

MNCO Office Location

In June of 2019, MNCO moved into the Washington Square Building (see map) in temporary office suites. In November of 2019, MNCO moved into a permanent office in the same building.

The permanent office space was designed to be a space in which MNCO staff members could conduct their duties but also interact with members of the public. The design and build out of the new office space were coordinated by Director Fitchard throughout 2019.

In 2020, MNCO is planning an open house to introduce the public to its new office. MNCO will also be opening the conference room to community groups who need space for meetings. Please contact MNCO if you are interested in using our space for your community group.



The MNCO office is located in the Washington Square Building at:

222 2nd Ave. North
Suite 370-M
Nashville, TN 37201

Community Outreach

BRENSEY THOMPSON - Community Liaison

Brensey Thompson was born and raised in Dickson, TN. She attended Middle Tennessee State University where she received a B.S. in Mass Communications, with a concentration in Public Relations and Marketing. Since graduation, Ms. Thompson has founded and operates her own freelance communications firm and writes for the Tennessean as well as her hometown paper, The Dickson Herald. Before joining MNCO in August of 2019 as the Community Liaison, she worked at the Dickson County Chamber of Commerce as the Director of Membership and Marketing for two years.



COMMUNITY OUTREACH

Brensey Thompson started with the MNCO on August 5, 2019. During her first 90 days, Ms. Thompson spent time learning about internal affairs, the Board and the concept of police oversight. She also began working on branding efforts since nothing was in place for the department. After her initial 90 days, she began meeting with various community groups to familiarize herself more with key groups and individuals involved with community oversight and criminal justice reform.

BRANDING INITIATIVES

Ms. Thompson has established a brand for MNCO. Her work has consisted of the following:

- > Finalized a logo design
- > Set up Facebook & Twitter accounts
- > Providing relevant content for social media accounts
- > Created general info brochure
- > Worked with Metro WebTeam to set up web page
- > Sends updates to Metro WebTeam regarding meetings, agenda, minutes, documents



METRO NASHVILLE COMMUNITY OVERSIGHT

 @MNCONashville

 facebook.com/mnconashville



**MNCO held or attended 12
community events since
September 2019 with 177
community members**

COMMUNITY ENGAGEMENT INITIATIVES

- > Community Oversight Now Meet & Greet
- > Seeking Social Justice Breakfast Social Justice Presentation
- > Presentation to Metro Council Orientation
- > Presentation to Metro Council Minority Caucus
- > One-on-one with Jerome Moore from NOAH about MNCO/COB
- > Jesse Goldberg Radio Show Interview about MNCO/COB
- > Presentation to Interdenominational Ministers Fellowship
- > Presentation to Criminal Justice Working Group
- > Your Turn Radio Show on WENO 760 AM MNCO/COB Updates
- > Procedural Justice Training

COMMUNITY ENGAGEMENT



CRIMINAL JUSTICE CONCERNS RAISED BY THE COMMUNITY

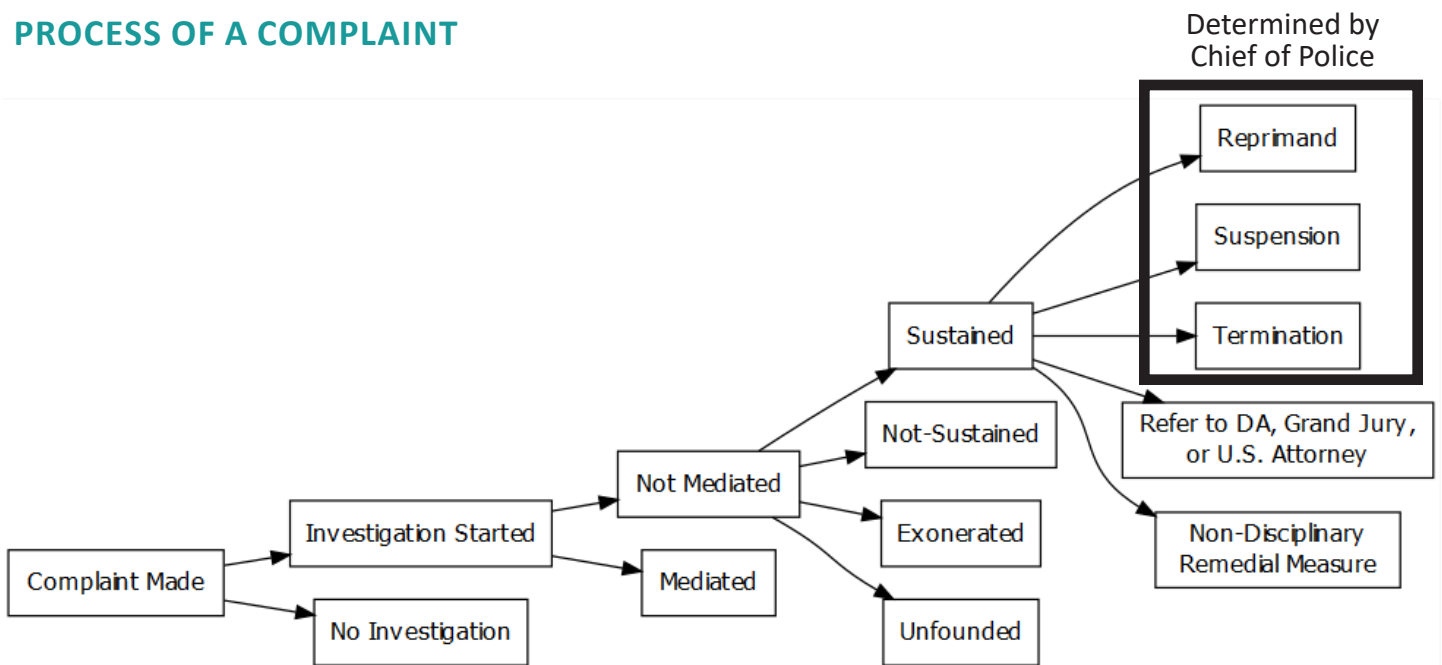
Conversations with the community have revealed several criminal justice concerns. Our goal is to develop strategies to make our processes more accessible to the community so that concerns can be properly addressed.

	COMMUNITY CONCERNS	ACTIONS TAKEN BY MNCO
Fear of Retaliation	When meeting with a community group, members of the group shared with us that many residents who live within the Metropolitan Development and Housing Agency (MDHA) are reluctant to share their concerns with policing issues in a public setting in fear of eviction from their home.	MNCO Legal Advisor, Todd Pinckley, is coordinating with MDHA General Counsel to review their standard lease agreements to determine whether there are any references to repercussions for cooperating with or filing grievances against MNPd.
Immigration	Vice Chair Andres Martinez requested that MNCO's research analyst create a policy advisory report on local law enforcement polices and immigration enforcement actions. His request came from public concerns related to local police interaction with the federal immigration enforcement and the training MNPd officers receive related to federal immigration enforcement.	MNCO's research analysts researched the policies, procedures and practices of MNPd related to local immigration and produced a policy advisory report with 12 recommendations. It was presented to the COB and made available to the public for feedback in December 2019.
Mistrust	Several members of the public have shared with various staff members their distrust with MNPd. Their mistrust is due to past experiences and encounters with officers.	One of MNCO's core missions is to help build trust between police and the community. MNCO prioritizes relationships with communities that have historically mistrusted police officers. All community engagement events aim to facilitate a trusting relationship between MNPd and the community. In November 2019, MNCO hosted a Procedural Justice and Police Legitimacy training that aims to build trust through community-focused policing.
Harassment	Several members of the public have stated during Board meeting public comment or by filing a complaint with MNCO that they feel harassed by MNPd officers.	MNCO investigators complete a thorough and unbiased investigation of each incident reported. In cases where investigators find evidence of harassment, they provide the COB with a resolution report based on their findings.
Body Worn Cameras (BWCs)	Many residents have expressed their concern with the city's slow progress in deploying BWCs. When a plan was released by the mayor, many community members were not pleased with the speed of roll-out. Questions were also raised with the cost of the project.	MNCO research analysts researched information regarding the process and time line of BWCs in Nashville. MNCO submitted a draft policy advisory report to the COB which was released for public feedback in December 2019. The report lays out key concerns regarding BWCs and provides recommendations to the mayor and MNPd.

Investigations

All allegations of MNPD misconduct are evaluated by investigators. If a complaint does not fall under the jurisdiction of MNCO (e.g. it occurred by a police department other than MNPD or occurred prior to April 1, 2019), the investigation is not pursued. If an investigation is opened, investigators collect witness statements and other evidence to corroborate the complaint. All cases except those alleging excessive force, serious bodily injury, or in-custody deaths are eligible for mediation. The complainant may choose to have a mediation session with the officer and the officer must consent to mediate the complaint. For cases that are not mediated, investigators determine whether the evidence shows whether the officer engaged in the alleged misconduct and whether the conduct was against policy. The COB receives a resolution report and determines whether to sustain the complaint. In sustained cases, the COB forwards the resolution report and Board disposition to the Chief of Police who determines the discipline the officer receives.

PROCESS OF A COMPLAINT



Process of an MNCO complaint of officer misconduct.

COOPERATION WITH MNPD

Cooperation between the COB and MNPD is clearly outlined in the Memorandum of Understanding (MOU) between the parties. Members of the public may choose whether they want to make a complaint to the COB or to MNPD. MNPD will make documents available to the Board to the extent permitted by law. During an investigation, MNCO may contact any police employee in accordance with established police department procedures while taking into account assigned shift, regular days off and availability.

MNCO executive staff will receive critical incident notifications including but not limited to uses of force involving serious injury or death or deaths in custody. MNCO personnel will not have access to a secured investigative perimeter until after the scene is stabilized and the criminal investigation will not be compromised. MNCO will have the same access as civilian Office of Professional Accountability staff.

MNPD will offer a Citizen’s Police Academy training to Board members and staff. The Executive Director may request access to classes at the training academy for MNCO staff.



HENRY RAMIREZ - Lead Investigator

Mr. Ramirez had a thirty-year career in law enforcement with the Santa Monica Police Department prior to joining Metro Nashville Community Oversight. He worked various assignments including Criminal Investigations, Internal Affairs, Backgrounds, and Patrol. In December 2013, after leaving his law enforcement career, he transitioned to become a Licensed Private Investigator. As a private investigator, he was appointed to an approved panel for the Los Angeles County Superior Courts to assist attorneys in the defense of indigent people.

APRIL WILLIAMS - Investigator

Ms. Williams was born and raised in Nashville. She lives in North Nashville. She knew early on that her purpose in life was a career in criminal justice. She received her Bachelor of Science degree in Criminal Justice and her Master of Education in Special Education from Tennessee State University. After graduation, she worked for 19 years at the State of Tennessee Department of Children's Services assisting at-risk youth in various program areas including Juvenile Justice.



VERNON JOHNSON - Investigator

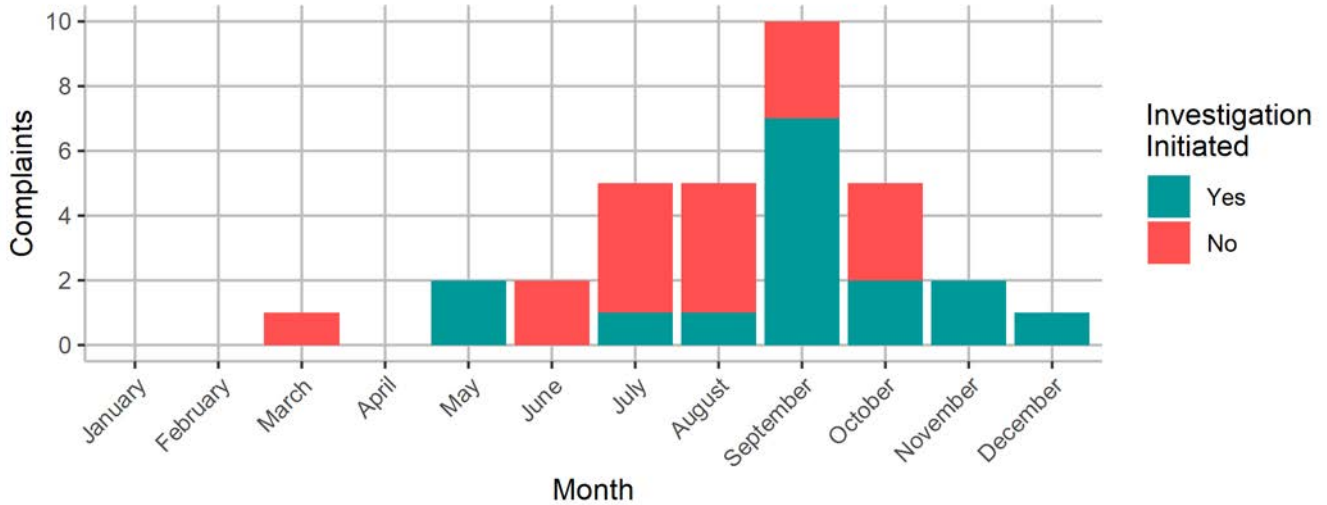
Mr. Johnson moved to Nashville in 1997 after serving seven years in the U.S. Army where he obtained the rank of Sergeant. He was subsequently hired by the Metropolitan Nashville Police Department, where he served on the Flex and Crime Suppression Units before being promoted to Sergeant. After 13 years with the police department, Mr. Johnson worked for the United States Embassy in Kabul, Afghanistan protecting U.S. personnel abroad. He received his B.A. in Management and M.B.A. from Trevecca Nazarene University. Mr. Johnson is also a graduate of the Northwestern School of Police Staff and Command. He is currently pursuing a Doctor of Education in Leadership at Trevecca.



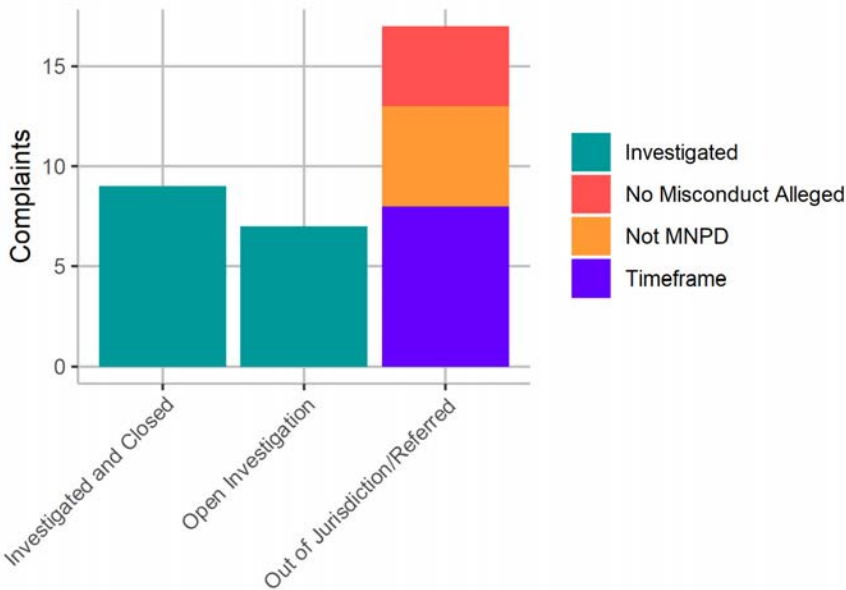
NUMBER AND NATURE OF MISCONDUCT ALLEGATIONS AND REVIEWS CONDUCTED

MNCO began taking complaints on April 1, 2019. In order to investigate a complaint, the alleged misconduct must have occurred after April 1st, 2019 and involve a police officer from Metro Nashville Police Department. A total of 33 complaints were received by MNCO in 2019. Additionally, MNCO began tracking non-complaint calls for assistance in September 2019. Since then, MNCO assisted more than 30 community members with non-misconduct related concerns.

Total Complaints Made in 2019



Status of Complaints Made in 2019 as of January 1, 2020

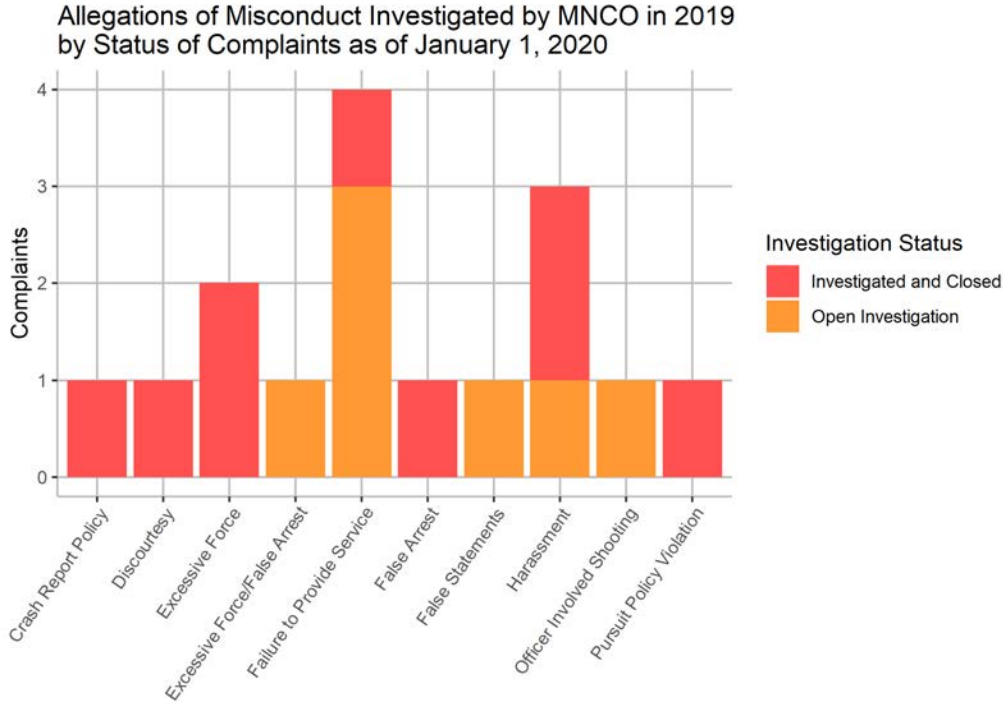


17 complaints (52%) were out of MNCO’s jurisdiction (e.g. occurred prior to April 1, 2019 or not involving an MNPD officer). Most of these cases were referred to the most appropriate agency for their allegation. Several others were for events that occurred in the past. In all cases, an investigator listened to the individual’s concerns and worked to ensure that they felt understood.

9 complaints (27%) were investigated and administratively closed meaning that an investigation was started but was not completed due to the complainant withdrawing the case, being unable to reach the respondent, the officer resigning, or referring the case to another agency. These cases were open for an average of 56 days prior to closure.

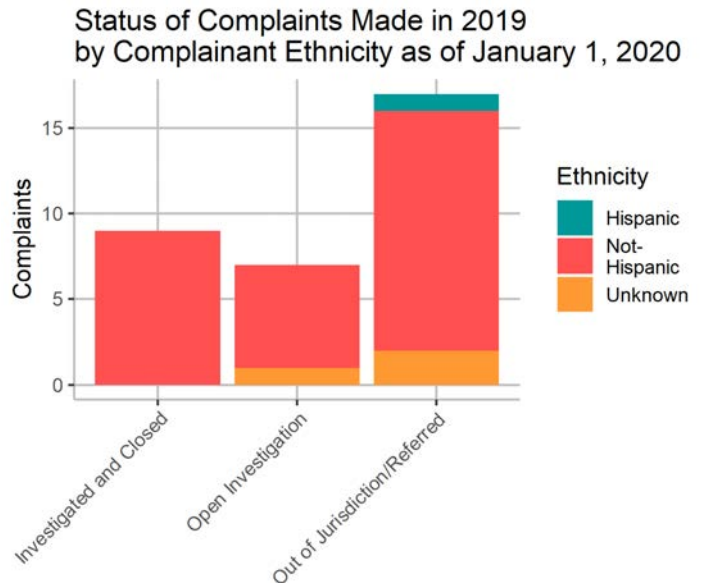
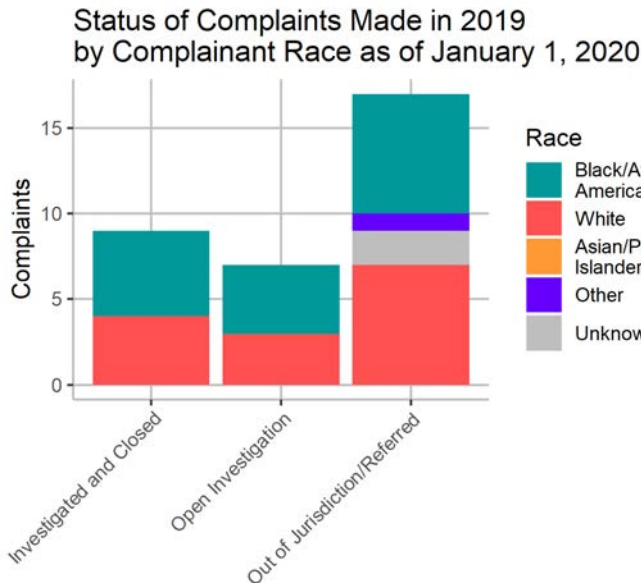
7 cases (21%) were open for investigation as of January 1, 2020. The recently signed MOU between the COB and MNPD will help facilitate investigations in the future.

The most common allegation of misconduct was for failure to provide service followed by harassment. MNCO also received allegations related to vehicle collision report procedures, discourtesy, excessive force, false arrest, false statements, an officer involved shooting, and a vehicle pursuit.



COMPLAINANT DEMOGRAPHICS

MNCO tracks demographic information about complainants to better understand the population of residents served. Of the 33 complaints made to MNCO, 16 (49%) complainants were Black or African American, 14 (42%) were White, none were Asian or Pacific Islander, one (3%) was another race and two (6%) complainants' race was not known. One (3%) complainant was Hispanic, 29 (88%) were non-Hispanic and three (9%) complainants' ethnicity was unknown. Finally, 18 complainants (55%) were men and 15 (45%) were women.



Mediation Program

The Board's mediation program was developed by reviewing current police mediation programs from across the United States including Nashville, Washington D.C., Seattle, Austin, New York, San Francisco, and Denver. The program incorporates best practices from the current Police and Citizen Mediation Program by the MNPD in collaboration with the Nashville Conflict Resolution Center (NCRC).

The Community Oversight Mediation Program allows for eligible complaints filed with MNCO to be referred to NCRC for mediation. The benefits of this voluntary program are placing the potential resolution of a complaint into the hands of both the aggrieved party and the MNPD employee accused of misconduct under the supervision of a highly-trained mediator, which will help to build trust between MNPD and the community. Mediation provides a quicker resolution to complaints filed against officers and allows MNCO resources to be focused on other complaints such as excessive force, serious bodily injury, or in-custody deaths. Additionally, following each mediation session, the participants will be asked to complete an evaluation form to inform MNCO of the successes and failures associated with the program so that it may be improved. MNCO will send regular reports to the COB to update the Board of the number of cases being referred to mediation, how many cases are successfully mediated, and how many cases are ultimately sent back to MNCO for a formal investigation.

The Community Oversight Mediation Program was approved by the COB at its meeting on November 20, 2019. MNCO Legal Advisor Todd Pinckley met with the Executive Director of NCRC in December 2019 to ensure that everything contained in the program approved by the Board was in compliance with NCRC's internal procedures. The Community Oversight Mediation Program is set to begin referring cases to NCRC for mediation starting in January 2020.



Research and Policy Advisory Reports

The MNCO research team conducts policy research and analysis in order to create policy advisory reports that are reviewed and voted on by the Board. Policy advisory reports may review and investigate any aspect of Nashville and Davidson County's criminal justice system. Reports consider insights from the fields of criminology, criminal justice, law enforcement theory, civil rights, and racial justice.

Developing a policy advisory report is a multistage process. First, the Board will be asked by MNCO to evaluate and approve a research proposal that outlines the analyses that the research analysts plan to conduct. The proposal can come from Board members, MNCO staff, or suggestions from community members. In 2019, the Board approved four policy advisory proposals: an analysis of traffic stops in Nashville, an analysis of use of force in Nashville, an analysis of MNP's engagement with immigration enforcement, and a report on body-worn camera implementation in Nashville.

Second, MNCO submits a draft report to the COB for consideration. In December 2019, MNCO submitted two draft reports for Board consideration, one on immigration and another on body-worn cameras. The drafts were sent to community stakeholders including law enforcement for comment and public hearings were held in January 2020.

Finally, the Board considers the policy advisory report in the context of feedback from the public and stakeholders at a separate Board meeting. In 2019, the Board did not issue any policy recommendations or policy advisory reports. In the first quarter of 2020, the Board will consider policy advisory reports and policy recommendations related to immigration and body-worn cameras.

In addition to policy research, the research and policy team track and manage departmental data. When Dr. Vielehr was hired in August 2019, he developed databases to electronically track misconduct complaints, non-complaint requests from community members, and community outreach efforts. Dr. Vielehr also created a monthly statistical report to inform the Board about cases received by MNCO.



**MNCO RESEARCH ANALYSTS PRESENTING
POLICY ADVISORY REPORTS TO THE COB**



PETER VIELEHR, PH.D. - Lead Research Analyst

Dr. Vielehr joined MNCO in August of 2019 after finishing his Ph.D. in sociology at Vanderbilt University. He has lived in Nashville since 2012 and lives in East Nashville. His doctoral research examined racial bias in police officers' decisions to search vehicles during traffic stops and tested whether proactive policing practices are associated with psychological distress for residents of Nashville. While a graduate student at Vanderbilt, Dr. Vielehr conducted the quantitative analysis for, and was a coauthor of, Gideon's Army's *Driving While Black* report.



LIZ OROZCO - Research Analyst

Ms. Orozco is a New York City transplant who is new to Nashville. Prior to becoming a Research Analyst for MNCO, Liz worked for the Planned Parenthood Federation of America and as an Analyst for the New York City Department of Parks and Recreation. In the spring of 2016, she graduated from Columbia University with a degree in Sustainable Development. In March of 2018, she received a M.A. in Homeland Security from Northeastern University.



Staff and Board Training

CITIZEN POLICE ACADEMY

MNCO staff and Board members participated in the Metro Nashville Police Department's Citizen Police Academy from September 3, 2019 to November 19, 2019. This training (or an equivalent training) is required for Board members and MNCO Staff as per the Metro Nashville Community Oversight Board Rules and Bylaws. The Citizen Police Academy is 12 weeks and provides participants with information about the work of the Police Department through a variety of presentations and demonstrations by MNPD staff and guest speakers. The topics covered included: Community Engagement, Civil Rights, Traffic Stops, Canine Units, Hazardous Devices, Domestic Violence, Drugs & Narcotics, Youth Services, Use of Force, Crime Labs, Gangs, the Juvenile Crime Task Force, and the Office of Professional Accountability.



Board and MNCO staff after completing MNPD's Citizen Police Academy.



Captain Hunsicker, head of the Forensic Services Division, gives Board and MNCO staff an introduction to the MNPD's crime laboratory and crime scene investigations.

NACOLE CONFERENCE IN DETROIT

From September 22-26, 2019, the MNCO staff and one Board member travelled to Detroit, Michigan to attend the Twenty-Fifth Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference. NACOLE is the umbrella organization that works with law enforcement and community oversight groups to enhance community trust, accountability and transparency in policing. The conference featured four tracks based on the Core Competencies for Civilian Oversight, including: Training, Community Trust, Institutional Culture and Correctional Oversight, and Collaboration. These four tracks offered conference attendees 31 plenary and concurrent sessions in addition to networking opportunities with similar oversight agencies and police officials from across the country.

POLICING PROJECT INTERACTIVE WORKSHOP

Board members Dr. Lewis and Mr. Campbell-Gooch attended a two day workshop hosted by the Policing Project at the NYU School of Law. The workshop brought community leaders, civilian oversight practitioners, police officials, inspectors general, and government representatives together from across the country. They focused on issues of transparency, accountability, and the role of oversight in building police-community relationships.



PROCEDURAL JUSTICE AND POLICE LEGITIMACY TRAINING

On October 24 & 25, 2019, the MNCO staff hosted a free, two-day training called Building Public Trust: Why Procedural Justice and Police Legitimacy Matters at American Baptist College in Nashville. This training was open to the public and was led by three members of the Chicago Police Department. In addition to the MNCO staff and COB members that were in attendance, about 20 community members participated in the training over the course of the two days.

MNCO INVESTIGATORS ATTENDED THE FOLLOWING TRAININGS AT THE MNPD TRAINING ACADEMY:

- > MNPD Organization
- > Diversity and Inclusion
- > Officer Survival
- > Introduction to Defensive Tactics;
Stance/Approach
- > Pistol Draw
- > Community Oriented Policing
- > Vehicle Extraction
- > Characteristics of Armed Individuals;
Officer Involved Shootings

Ways to Contact

A Complaint or Commendation may be submitted online, by phone, mail, email or in person.

Our office hours are:

Monday - Friday
8:00 AM - 4:30 PM



www.nashville.gov



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**THANK YOU TO THE NASHVILLE COMMUNITY
FOR YOUR CONTINUED SUPPORT.**