

POLICING POLICY COMMISSION REPORT



OFFICE OF MAYOR
JOHN COOPER

November 20, 2020



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

JOHN COOPER
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November 20, 2020

Dear fellow Nashvillians,

Earlier this year, in response to a series of tragic and unnecessary deaths of black men and women, including George Floyd, Ahmaud Arbery, and Breonna Taylor, President Barack Obama challenged American cities to reduce police use of force and reimagine policing. I signed the pledge in June, and my office got to work.

Use of force among Metropolitan Nashville PD officers has fallen sharply in recent years. Opinion polls here in Nashville have consistently shown high levels of support for the Metropolitan Nashville Police Department. However, not all Nashvillians have the same levels of trust in the police. Stories abound of Nashville's black residents, particularly black men, being stopped by police, sometimes repeatedly, in ways that are different from what white Nashvillians experience. This is not a problem specific to Nashville. Nationwide, studies show that communities of color have lower levels of trust in the police than white communities. But it is a challenge our city and other cities must address head-on.

To undertake this work, I convened a Policing Policy Commission, composed of a diverse group of civic leaders and community members. Former Mayor Karl Dean and Judge Richard Dinkins graciously agreed to serve as co-chairs of the Commission. After Judge Dinkins stepped down from the Commission for health reasons, retired *Tennessean* reporter, editor, and columnist Dwight Lewis agreed to help lead this initiative. I asked the Commission to examine how the MNPd serves our residents – all of our residents – and identify opportunities to do more to build community trust and enhance public safety.

For 11 weeks, the members of the Policing Policy Commission convened, researched, listened, and debated how to build trust and improve public safety. The Commission formed three subcommittees – Communities, Workforce, and Policy – that met weekly with subject matter experts, nearly 40 in total. The MNPd was a partner in this process, providing information to the Commission and making personnel available to answer questions from the various committees. So was Metro Nashville Community Oversight, the department that supports the Community Oversight Board. Their analysis undergirds much of this report. I am grateful for their assistance and support.

When this process began, I hoped that Commission members would produce a final report that could serve as a blueprint for our next Chief of Police. This report delivers on those hopes.

The Commission identified four outcomes or results for the MNPd to achieve. In the opinion of the Commission, achieving these results will put the MNPd on a path to reduce the use of force, build trust across all of Nashville's neighborhoods, and enhance public safety. Here are the desired results:

1. The MNPd collaborates with residents, neighborhood associations, non-profits, faith-based institutions, business and community groups, and with other government departments and agencies.
2. The MNPd better reflects the diversity of the city it serves at every level of the organization.
3. The MNPd works to eliminate disparities in the application of all types of use of force and issues regular reports around the use of force, while also providing information to the COB to conduct its core oversight responsibility.
4. MNPd officer training, skills, and behaviors, as well as department culture, reflect a commitment to consistent and respectful interactions with all Nashvillians, including African-Americans and other residents of color, Muslim Americans and immigrant-origin communities, and LGBTQ+ residents, as part of a concerted effort to eliminate disparities in the use of force.

The Commission also identified a common set of values that the MNPd should strive to inculcate and sustain: an orientation toward collaboration, an appreciation for diversity, a respect for human dignity, and a commitment to transparency.

As the Mayor of Nashville, I enthusiastically share and support these common goals. I look forward to presenting these goals and recommendations to our next Chief of Police, as a blueprint for a Nashville model of public safety.

Sincerely,



Mayor John Cooper

“[I] am one of those people who believe in democracy and in the social contract. We give up certain things to get certain things. One of the things we get in return is a police department that protects us. We trust these public servants will protect us and our best interests. And when we lose that trust, we lose the will to move forward...”

When we are talking about the issue of policing, we have to continue to have that trust built in the system and process. Those public servants doing the job of law enforcement have to uphold the laws and make sure that they are doing it fairly and impartially...”

— Captain Leshuan Oliver
Vanderbilt University Police Department
Policing Policy Commission member

November 20, 2020

In Nashville, our best approach to moving forward during times of challenge is to bring people together who represent different viewpoints and build consensus around all that we share. Mayor John Cooper's Policing Policy Commission represents such an effort as we look to the future of our Metro Police Department and strive to assure that it reflects our city's ideals and the best practices of other successful police departments throughout the country. In short, our Metro police department needs to represent and reflect all of our citizens.

Today, we are pleased to submit the Commission's work product in a report that provides specific objectives and sets a tone of forward progress. So much of the Commission's three-month work product was virtual because of the deadly coronavirus pandemic currently taking place here and elsewhere. Still, the 42 members of Mayor Cooper's Policing Policy Commission were focused and, in the end, emerged with a clear set of common goals and values. When these recommendations and solutions are implemented, we believe they can be used as a model for bringing any police department into the 21st Century.

“We want to make sure these things happen here,” Nashville Mayor Cooper was heard to say during a Commission meeting.

On August 14, Mayor Cooper established the Policing Policy Commission to “consider nearly every aspect of policing in Nashville, re-evaluating policies on use of force, training, recruitment, crime prevention, discipline and diversity.”

Mayor Cooper added that the recommended changes from the Commission, which we are honored to have been selected to co-chair, would shape the search for the city's next police chief. And we hope the recommended changes can be used as a blueprint for the Metro Council and all others in Nashville to assert the values to be upheld by our main law enforcement branch.

Most of us on the Commission went to work knowing that additional efforts are required before all members of our diverse community can be assured that the Metropolitan Nashville Police Department works for the benefit of all Nashvillians.

“When we leave here, we want to have solutions that will make even little kids feel better when they leave out of their house,” a fellow commission member said proudly one day.

Unfortunately, not all of Nashville citizens currently feel good about or trust the city's police department even though there are many dedicated sworn officers and civilians who work there.

Earlier this year, the Nashville Public Radio station, WPLN, broadcast a four-part podcast series titled, *Deadly Force*. The series, led by Samantha Max, focused on a reported divide between the Black community and predominately white police departments, even the one here.

The news investigation talked of traffic stops where, in 2016, a report showed that members of the Black community in Nashville were twice as likely as those in the white community to be pulled over, even though officers seldom found any evidence to arrest them.

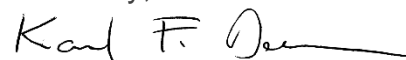
And the podcast talked about the killing of two Black men, one in 2017 and the other in 2018, by Metro Police that has increased public concern. That concern should be eased significantly if the recommendations and solutions submitted by the Mayor's Policing Policy Commission are put into action. This is the wish of all members who have given of their time after being asked to serve on this Commission.

Over the course of 11 weeks and at least 66 hours of recorded meetings, Commission members listened to testimony, read research and reviewed administrative data – even as the pandemic raged on, adding an unseen burden to everyone's duties. Representing different perspectives and numerous professions and communities, Commission members often engaged in lively discussions on the proposed recommendations for this report.

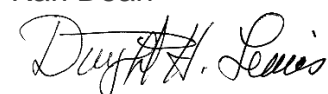
Not everyone agreed on every issue. However, the discussions and personal testimony heard from diverse individuals, including professionals from other cities and states, humanized the issues, helping to elevate shared perspectives and provided opportunities for closure. No one can say there wasn't honest dialogue during the many meetings that took place over the three-month period where wide-ranging issues were discussed by Commission members.

Meanwhile, we say once again that it has been a great honor to serve as co-chairs of the Mayor's Policing Policy Commission. We are inspired by the energy and commitment of all Commission members to help build a police department that all of Nashville can feel is here to protect them.

Sincerely,



Karl Dean



Dwight Lewis

Policing Policy Commission Members

Policing Policy Commission members reflect the diversity of Nashville.

Karl Dean, Co-Chair of Police Policy Commission,
Former Mayor and Public Defender of Nashville

Dwight Lewis, Retired Tennessean Reporter,
Editor, and Columnist

Ashlee Davis, VP, AllianceBernstein,
Former Chair of Community Oversight Board

Phil Ponder, former Councilmember

Beth Seigenthaler Courtney, Managing Partner,
Finn Partners

Russ Pulley, Councilmember

Jennifer Gamble, Public Safety Committee Chair

Bob Fisher, Belmont University President

Whitney Washington, Community Organizer,
Stand Up Nashville

Melissa Blackburn, Judge of Division II General
Session Court

Bob Allen, former SWAT Team Instructor,
Royal Range USA

David Esquivel, Partner, Bass Berry & Sims PLC

Mac Huffington, Founder & Owner,
Mac Productions

LeShuan Oliver, Police Captain,
Vanderbilt University Police Department

Juliana Ospina Cano, Executive Director,
Conexion Americas

Margie Quin, CEO, End Slavery Tennessee

Robert Sherrill, CEO & Founder,
Imperial Cleaning Systems/Impact Youth Outreach

Chris Jackson, Pastor,
Pleasant Green Baptist Church

Sabina Mohyuddin, Executive Director,
American Muslim Advisory Council

Phreadom Dimas, Youth Leader, Oasis Center

Darrell Talbert, President, Icon Entertainment

Larry Woods, Chairman,
Wood & Woods Attorneys at Law

Jimmy Greer, Pastor,
Friendship Missionary Baptist Church

Tom Turner, President & CEO
Nashville Downtown Partnership

Reggie Miller, President, National Black Police
Association Nashville Chapter

Nawzad Hawrami, Manager, Salahadeen Center

Meera Ballal, Founder,
Women's Healthcare Initiative

David Fox, financial markets trader, former
Chairman of Nashville Board of Public Education

Rachel Freeman, President & CEO,
Sexual Assault Center

Clifton Harris, President & CEO,
Urban League of Middle Tennessee

Torry Johnson, former District Attorney of
Metro Nashville and Davidson County

Demetria Kalodimos, Executive Producer,
Nashville Banner

Lonnell Matthews, Juvenile Court Clerk,
Davidson County Juvenile Courts

Amanda Lucas, LCSW, Criminal Justice Member,
Nashville Organized for Hope and Action (NOAH)

Bruce Maxwell, Pastor,
Lake Providence Missionary Baptist Church

Sharon K. Roberson, President & CEO, YWCA

Larry Turnley, Violence Interrupter, Gideon's Army

John R. Faison, Pastor,
Watson Grove Missionary Baptist Church

Manuel Delgado, Owner, Delgado Guitars

Gary Moore, former State Representative, retired
Nashville Fire Department, IAFF Local 140

Worrick Robinson, Member,
Robinson, Reagan and Young PLLC

Eli Foster, Blue Ribbon MNPS Teacher

Staff:

John Buntin, Director of Policy, Mayor's Office

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CMHSI/Division of Behavioral Health and Wellness,
Metro Public Health Department

Executive Summary

Earlier this year, in response to the deaths of George Floyd, Ahmaud Arbery, Breonna Taylor, and other people of color, former President Barack Obama challenged America's cities to review police use of force policies and reimagine policing.

To meet this challenge, Mayor John Cooper created a Policing Policy Commission composed of 42 civic leaders and community members. The Commission's membership reflected the diversity of Nashville.* Mayor Cooper asked the Commission to produce recommendations that would reduce the use of force, improve trust across all of Nashville's communities, and enhance public safety.

To undertake this work, the Policing Policy Commission was divided into three committees – Communities, Workforce, and Policy. Committees met virtually on a weekly basis. All told, they logged more than 66 hours of deliberations. They convened four extra-committee briefings (virtual brown bag lunches) and heard from nearly 40 subject matter experts, ranging from Nashvillians with lived experience to national policing experts.

The Commission also created a data working group that met weekly. It included representatives from each committee as well as representatives from Metropolitan Nashville Police Department (MNPd) and Metro Nashville Community Oversight (MNCO), the Metro department that supports the Community Oversight Board (COB), the independent, Charter-created entity approved by Nashville voters two years ago. All committee meetings were recorded and are

available for review on the Metro Nashville website, [Nashville.gov](https://www.nashville.gov).

Over the course of the Policing Policy Commission's work, several issues emerged, among them the following:

- Eighty-one percent of sworn officers are white; ranking positions are rarely occupied by people of color or women;
- While the overall use of force by the police has fallen sharply since the early 2000s, residents of color, particularly Black men, continue to experience use of force at much higher levels than non-Black residents;
- MNPd policies around use of force reflect national best practices; however, doubts remain among some members of the community about how consistently those policies are applied and about the MNPd's commitment to accountability and transparency;
- While the MNPd has developed an innovative neighborhood engagement approach in the West Precinct and a strong partnership with the Mental Health Cooperative, few officers currently participate in community-informed, problem-oriented policing, and the training academy and MNPd policy do not make this practice central to everyday policing.

* Here is a breakdown of the civic groups represented in the Policing Policy Commission: Grassroots organizations (7); Faith-based leaders (4); Social service organizations (4); Business (9); Law enforcement (5); Education (2); Elected officials (5); Attorneys (4); Journalism (1). The demographics of the group were the following: 41 percent (17) Black American, 12 percent (5) immigrant origin; 34 percent (14) women. Overall, people of color made up 54 percent of the Commission.

In order to reduce the use of force, build trust across all of Nashville's neighborhoods, and enhance public safety, the Policing Policy Commission believes that the city's next Chief of Police and the department as a whole should work to improve relationships and form true partnerships with Nashville's diverse communities and neighborhoods, with non-profits, faith-based institutions, business and community groups, and with other government departments and agencies. The MNPDP should also commit to recruiting, retaining, and promoting officers and civilians who are from Nashville's neighborhoods and who reflect the diversity of Nashville-Davidson County.

The Commission believes the MNPDP can reduce the use of force, build trust across all of Nashville's neighborhoods, and enhance public safety by achieving the following four results:

1. The MNPDP collaborates with residents, neighborhood associations, non-profits, faith-based institutions, business and community groups, and with other government departments and agencies.
2. The MNPDP better reflects the diversity of the city it serves at every level of the organization.
3. The MNPDP works to eliminate disparities in the application of all types of use of force and issues regular reports around the use of force, while also providing information to the Community Oversight Board to conduct its core oversight responsibility.
4. MNPDP officer training, skills, and behaviors, as well as department culture, reflect a commitment to consistent and respectful interactions with all Nashvillians, including African Americans and other residents of color, Muslim Americans and immigrant-origin communities, and LGBTQ+ residents, as part of a concerted effort to eliminate disparities in the use of force.

Further, in all of its training, procedures, and policies, the MNPDP should work to support the following values and actions:

- **Collaboration.** Neighborhoods identify public safety priorities for the MNPDP, and the MNPDP addresses those needs not only through law enforcement but also by forming partnerships with residents, neighborhood associations, non-profits, faith-based institutions, business and community groups, and other government agencies.
- **Diversity and inclusion.** The MNPDP prioritizes increasing racial, ethnic, gender, and sexual identity and orientation diversity at every level of the MNPDP and recognizes that greater diversity will increase trust and enhance public safety for Nashville-Davidson County residents. The MNPDP becomes a department where all Nashvillians are welcome and feel comfortable – as officers, civilian staff, residents and community partners.
- **Human dignity.** The MNPDP recognizes that the disproportionate rate at which force is used against residents of color undermines trust. The MNPDP prioritizes efforts to eliminate disparities in use of force by training and supervising officers to ensure consistent and respectful interactions with all Nashvillians.
- **Transparency.** The department provides timely public reports on use of force and recruitment efforts and recognizes the oversight role for the Community Oversight Board spelled out in the Metro Charter.

Gratitude

Over the course of the Commission's work, the co-chairs and members have contributed their time, talent and insights to draft recommendations that will reduce force, increase trust in the police across all Nashville's neighborhoods, and enhance public safety. Their work required countless hours in committees on-line, reviewing administrative data, researching policies and best practices, and seeking out and arranging appearances with subject matter experts and individuals with lived experience. Committee chairs and vice chairs had the additional responsibility of seeking consensus so that committees could move forward with shared priorities. Guiding the work of the committees and the overall process were Commission co-chairs Dwight Lewis and Karl Dean. Mr. Lewis and Mayor Dean brought their experience and judgment, and an unflagging commitment to bringing members together around common goals and values, to the work of the Commission.

Mayor Cooper and his staff would like to thank Beth Courtney and Finn Partners for their generous help formatting and preparing this report.

To the Commission co-chairs and members, Mayor Cooper and his staff, express their deepest gratitude. Nashville will be better off as a result of your work.

Introduction

Since the death of Michael Brown in Ferguson, Missouri in 2014, Americans have watched one incident after another in which police officers deployed lethal force against people of color, particularly Black men. The year 2020 has been particularly tragic in this regard. According to a database compiled and maintained by the *Washington Post*, 979 people across the country were shot and killed by the police through November 16, 2020.

MNPD use of force has declined sharply over time, from over 750 uses of force in the early 2000s to 299 uses of force in 2019. According to an analysis conducted by the MNPD, police in Nashville use force at a much lower rate than comparable police departments in peer cities. Despite the declining use of force, MNPD administrative data show persistent disparities in the application of force on Black Nashvillians. In three categories of use of force—canine, taser and takedown/grapple—Black Nashvillians are recipients of disproportionate application of force. Use of force in those categories is in fact rising.



According to a database created and maintained by the *Washington Post*, since 2015, MNPd officers have shot and killed eight individuals.

Figure One: People shot and killed by the MNPd, 2015 – 10/2020

Name	Date of shooting	Armed or perceived to be armed?	Age	Race	Threat level	Fleeing or not?
Sershawn Martez Dillon	10/5/2018	gun	31	B	attack	Not fleeing
Daniel Hambrick	7/26/2018	gun	25	B	other	On foot
Rodney L. Cole	6/28/2017	screwdriver	37	B	attack	Not fleeing
Jocques Scott Clemmons	2/10/2017	gun	31	B	other	On foot
Sandy Joe Duke	9/20/2016	gun	43	W	attack	Not fleeing
Vincente Montanto	8/5/2015	hatchet	29	W	attack	Not fleeing
Alexander Tirado Rivera	5/30/2015	toy weapon	39	H	attack	Not fleeing
John Acree	4/29/2015	gun	53	W	attack	Not fleeing

Washington Post Police Shooting database

<https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>

Some of these shootings, such as the shootings that resulted in the deaths of Jocques Clemmons and Daniel Hambrick, have been controversial. For example, Nashville-Davidson County District Attorney Glenn Funk has charged Officer Andrew Delke, who shot Daniel Hambrick, with murder. That trial is expected to begin in 2021.

Earlier this year, former President Barack Obama challenged America's cities to review their use of force policies and reimagine policing. Nashville immediately accepted the challenge. Mayor John Cooper directed the MNPd to make explicit in department policy its prohibition on

“chokeholds.” He invited the Community Oversight Board to review MNPD use of force policies. He also created a Policing Policy Commission, composed of 42 civic leaders and other community members who reflect the diversity of Nashville.[†]

To this diverse group, Mayor Cooper gave a broad mission on August 19, 2020:

“The first purpose of the Commission is to identify ways for the Metro Nashville Police Department to reduce the use of force. But it also has a broader purpose: to begin a community-wide process of reimagining how Nashville can build trust and enhance community safety.

Recognize what our department does well and look for ways to build on those successes. Identify areas where our police department and our city fall short and where we can do better. Do so in a way that embraces and enhances transparency. Ask for public input as you explore these issues and draft your report. That is my charge to you.”

[†] Policing Policy Commission members included a former District Attorney and a former Mayor; the chair of the Community Oversight Board and the Chair of the Public Safety Committee; a former state representative and firefighter captain; a judge who oversees the Mental Health and Veterans Courts; pastors; veteran civil rights attorneys; small business owners and established business leaders; two police officers and one retired police officer; a fifth grade teacher; a former School Board chair and Mayoral candidate; a PRIDE board member; downtown and hospitality industry leaders; a major university President; workers’ rights and social justice advocates; leaders in the fight against domestic violence and sex trafficking; our Juvenile Circuit

Former Mayor Karl Dean and Judge Richard Dinkins agreed to serve as the Commission’s co-chairs. When health issues forced Judge Dinkins to step down, retired *Tennessean* reporter, editor, and columnist Dwight Lewis agreed to step in as co-chair. The two Commission co-chairs worked with the Mayor’s Office to provide guidance to the committees about process for producing recommendations and a final report and to ensure that the three committees understood their individual roles as well as their collective responsibility.

Commission members reflected the diversity of Nashville. Its members were Black, white, Latinx, Muslim, Jewish, Christian, MENSA (Middle Eastern, North African, Southern Asia), LGBTQ+, formerly incarcerated individuals, business owners, past and present law enforcement officers, non-profit executives, educators, mental health workers, advocates for victims of domestic violence, and many more.

Court Clerk; a young man who has experienced homelessness; and one of Nashville’s most respected news anchors. It represented the Christian, Jewish, and Muslim faith traditions and included people who belong to – or serve – more than two dozen churches, nonprofits, and numerous community organizations, including the Interdenominational Ministers’ Fellowship, the Urban League, Gideon’s Army, Conexión Americas, NOAH, the National Black Police Association, End Slavery, the YWCA, Stand Up Nashville, the Oasis Center, Pride Nashville, and the Salahadeen Center of Nashville.

Committee Process

Mayor Cooper divided the Commission into three committees – a Communities Committee, a Workforce Committee, and a Policy Committee. Members were polled about their committee assignment preferences and assigned to their first or second choice. The committees met weekly for 11 weeks. In addition, a data committee, comprised of representatives from each committee, as well as staff from MNPd and the MNCO, met weekly to review MNPd data. All committee meetings for Communities, Workforce and Policy were recorded and, whenever possible, livestreamed. Recordings of the committee discussions can be found on [Nashville.gov](https://www.nashville.gov).

Committees then elected chairs and vice chairs. Committee co-chairs set the agenda, guided meetings, identified speakers (both subject matter experts and individuals with lived experiences), and drafted recommendations. The Communities Committee elected Judge Melissa Blackburn as its chair and YWCA President and CEO Sharon Roberson as its vice chair. The Workforce Committee elected End Slavery President and CEO Margie Quin (former police officer and Tennessee Bureau of Investigation agent) as its chair and Whitney Washington, a Stand Up Nashville representative and former Operations Manager for the Global Black Lives Matter Network, as its vice chair. The Policy Committee elected then-Community Oversight Board chair Ashlee Davis as its chair and Nashvillians Organized for Action and Hope (NOAH) representative Amanda Lucas, a clinical social worker/therapist and former probation officer, as its vice chair.

The committees were encouraged to reach consensus on all recommendations. In the event that members did not reach consensus, committees were instructed to vote on recommendations. The Communities and Workforce Committees reached consensus on their recommendations. The Policy Committee approved their recommendations by a 12-2 vote.

To supplement speakers presenting in each committee, Commission staff coordinated four virtual brown bag lunches highlighting key issues in which all committees had an interest:

- *Mental Health Crisis Intervention/Pre-Arrest Diversion: The Nashville Model: 24/7 Crisis Treatment Center and Pre-Arrest Diversion.* Presenters included Amanda Bracht, Mental Health Cooperative; Deputy Chief Damian Huggins, MNPd; and Angie Thompson, Division Director, Behavioral Health and Wellness, Metro Public Health Department.
- *Interpersonal Violence: Nashville's Programs and Promise.* Presenters included Diane Lance, Director, Office of Family Safety; Sharon K. Roberson, President & CEO, YWCA of Nashville and Middle Tennessee (PPC Commission Member; Vice Chair, Communities Committee); Rachel Freeman, President & CEO, Sexual Assault Center (Commission member); Sgt. Carlos Anderson, MNPd.

- *An Overview of the Metro Nashville Community Oversight and Citizen Oversight Board.* Presented by Jill Fitchheard, Executive Director, MNCO.
- *Building Justice in the Justice System: Trauma-Informed Law Enforcement.* Panelists included Judge Sheila Calloway, Juvenile Justice Court; Jenn Drake Croft, Tennessee Commission on Children and Youth.

Mayor's Office and Public Health Department staff members John Buntin, Eric Brown, and Dia Cirillo supported the work of the committees, with assistance from Vanderbilt University master's in public policy student Brionna Crawford. Peter Velehr and Matthew Morley from MNCO and the MNPd provided invaluable assistance. Committees were encouraged to incorporate a results-based process that defined problems and developed corresponding solutions. This process asked committees to focus on recommendations that could be implemented within the first 18 months of the next police chief's tenure. The report framework, focusing on four results that MNPd must achieve, integrates committee work and reflects the product of a half-day planning session involving committee co-chairs and data committee representatives.



Communities Committee

The Communities Committee included the following members:

- Bob Fisher, Belmont University President
- Melissa Blackburn, General Sessions Judge; *chair*
- David Esquivel, Partner at Bass, Berry & Sims PLC
- Juliana Ospina Cano, Executive Director of Conexion Americas
- Phreadom Dimas, Youth leader at the Oasis Center
- Rev. Jimmy Greer, Pastor of Friendship Missionary Baptist Church
- Tom Turner, CEO of the Nashville Downtown Partnership
- Nawzad Hawrami, Manager of the Salahadeen Center
- Rev. Bruce Maxwell, Pastor of Lake Providence Missionary Baptist Church
- Sharon K. Roberson, CEO of the YWCA Nashville & Middle Tennessee, *vice chair*
- Larry Turnley, Violence Interrupter with Gideon's Army
- Eli Foster, MNPS teacher
- Jennifer Gamble, Council Member, District 3

The Communities Committee began by exploring what a Nashville model of community-oriented (or neighborhood policing) might look like. It then shifted its focus to how the police interact with vulnerable populations, such as people with mental illnesses, people who are homeless, the previously incarcerated, juveniles and students, and LGBTQ+ residents. The committee considered officer wellness as well, recognizing that police officers encounter violent or traumatic situations at a higher than average frequency.

The Communities Committee was also tasked with sharing residents' experiences with police, particularly pertaining to use of force. In keeping with President Obama's request, Mayor Cooper asked this committee to listen to subject matter experts with lived experiences of dealing with police officers. The Communities Committee was asked to identify ways the MNPd could better engage and partner with the communities and neighborhoods that need police protection the most. It invited numerous subject matter experts to speak to the committee, including the following:

- Robert Haas, former Cambridge, MA police superintendent, consultant
- Deputy Chief Damian Huggins, Administrative Services Bureau, MNPd
- Judge Sheila Calloway, Davidson County Juvenile Court Judge
- Ashford Hughes, Executive Officer of Diversity, Equity & Inclusion, Metro Nashville Public Schools (MNPS)
- Dr. Michelle Springer, Chief of Student Support Services, MNPS
- Ellen Abbott, Director, Office of Criminal Justice Services, Tennessee Department of Mental Health and Substance Abuse Services
- Amanda Bracht, Senior Vice President of Clinical Services, Mental Health Services
- Judith Tackett, Director, Social Services, Homeless Impact Division
- Maxine Spencer, trans woman, More to Me Program Specialist at Oasis Center
- Ray Holloman, trans man, Business Continuity Administrator at HCA IT&S
- Sabina Mohyuddin, Executive Director of American Muslim Advisory Council

Lived Experiences, Community Voices.

“The Muslim Community of Middle Tennessee is made up of 40,000 people. And we are very diverse. Fifteen to 20,000 are Kurdish. Five thousand are Somalian. There are more from East Africa, South Asian, and there are Arabians. Even if you look at the immigrant communities, all immigrant communities aren’t Muslim. So, when we talk about these communities, there is a large Coptic Christian Community from Egypt. So not all Arabians are Muslims. East African immigrants are not always Muslims either. It’s a very diverse community and you have to understand the community you are policing in. The same thing that happens to African Americans in policing, happens to Somalian and East African Muslims. This is what I’ve been told. There’s no difference because until you are stopped, no one would know any difference of what specific Black community you are in or coming from.”

— Sabina Mohyuddin
Executive Director
American Muslim Advisory Council

“In 2015 the National Center of Transgender Equality found that half of trans people report that they are uncomfortable seeking police assistance. More than one-fifth or 22 percent report police harassment. And 6 percent reported they experience bias-motivated assault by officers. And Black trans people reported higher rates of bias assault and harassment - 38 percent and 15 percent respectively.”

— Maxine Spencer
More to Me Specialist at Oasis Center

Policy Committee


The Policy Committee included the following Commission members:

- Bob Allen, former SWAT Team instructor, Royal Range Director of Training
- Meera Ballal, Founder, Women's Healthcare Initiative
- Ashlee Davis, COB board member, VP of AllianceBernstein; *chair*
- Manuel Delgado, Delgado Guitars
- Rachel Freeman, President and CEO of the Nashville Sexual Assault Center
- Chris Jackson, President of the Interdenominational Ministers' Fellowship; Pastor, Pleasant Green Baptist Church
- Torry Johnson, former District Attorney, Belmont University Law School professor
- Amanda Lucas, clinical social worker/therapist and NOAH representative; *vice chair*
- Lonnell Matthews, Davidson County Juvenile Court Clerk
- LeShuan Oliver, Captain Vanderbilt University Police Department
- Russ Pulley, Council Member, District 25; former law enforcement officer
- Worrick Robinson, Partner, Robinson, Regan and Young PLLC
- Robert Sherrill, CEO & Founder, Imperial Cleaning Systems/ Impact Youth Outreach
- Larry Woods, Chairman, Wood & Woods Attorneys at Law

The Policy Committee was charged with examining MNPd policies around the use of force and identifying national best practices. It was also charged with assessing MNPd training and examining the interactions between the MNPd and the COB. As part of its work, the committee visited the Police Training Academy, where it met with command staff and participated in a use of force simulation exercise, similar to the training used with new recruits.

The committee heard from the following subject matter experts:

- Captain Michael Alexander, Specialized Investigation Division, MNPd
- Captain Greg Blair, Director of Training, MNPd
- Captain Blaine Whited, Bodyworn Camera supervisor, MNPd
- Dr. Peter Vielehr, Lead Research Analyst, MNCO
- Amanda Bracht, Sr. Vice President, Mental Health Coop
- Angie Miller, Nashville resident
- Caroline Sarnoff, Executive Director of The Justice Collaboratory, Yale University
- Rasheedat Fetuga, President/CEO, Gideon's Army
- Larry Turnley, Violence Interrupter, Gideon's Army



“There are a lot of different issues that arise with the way we do policing in America. The other thing is that the issues that we face are bigger than one person. Even with a Police Chief, we are still dealing with systemic oppression that is national and is still part of the culture of policing in America. And then there’s the issue of the lack of social determinants of health in Nashville communities that are handled by criminalizing people who are unhealthy or people who are in unhealthy communities... Understand that crime and violence are negative effects that deeply impact the determinants of health; that is a cycle. So, education, economic conditions, healthcare systems, the physical environment, community cohesion, and community peace all impact each other and work in a cycle. When one of those things are off, it can easily get all of those things off. But violence is one of the main determinants, or peace within a community, is one of the main determinants of health that can knock everything off with there being violence within the community.”

— Rasheedat Fetuga
President/CEO, Gideon’s Army

Workforce Committee

The Workforce Committee included the following Commission members:

- Demetria Kalodimos, Executive Producer, Nashville Banner
- Mac Huffington, Founder & Owner, Mac Productions
- Margie Quin, President and CEO, End Slavery; *chair*
- Sabina Mohyuddin, Executive Director, American Muslim Advisory Council
- Phil Ponder, former Council Member
- Gary Moore, Former State Representative, Retired Nashville Fire Department, IAFF Local 140
- Darrell Talbert, President of Icon Entertainment
- David Fox, businessman and former MNPS school board chair
- Clifton Harris, President of the Urban League
- Whitney Washington, Campaign Organizer Stand Up Nashville; *vice chair*
- Beth Seigenthaler Courtney, Managing Partner, Finn Partners
- Reggie Miller, President of the Black Police Officers Association

The Workforce Committee undertook a broad review of diversity in the MNPd. It explored how the department recruits, screens, trains, retains, and promotes officers, with particular attention on officers of color. It also reviewed how complaints are handled and reviewed, how supervisors provide feedback, training, and discipline.

It heard from the following subject matter experts:

- Kay Lokey, MNPd Deputy Chief, Administrative Services
- Joey Bishop, Retired, MNPd Deputy Chief
- Marita Granbury, Retired, MNPd Sgt.
- Fred Fletcher, Retired, Chief of Police, Chattanooga
- James Smallwood, President, Fraternal Order of Police
- Brenda Leffler, Retired, Lt. Col Colorado State Patrol
- Janee Harteau, Retired, Chief of Police, Minneapolis
- Greta McClain, former MNPd officer; Founder, Silent No Longer
- Greg Carson, Small Business Owner & Board member, LGBT Chamber of Commerce
- Rell Freeman, trans man, board member of Launchpad Nashville and Nashville Pride
- Nakia Reed, Officer, MNPd LGBT Liaison

In addition to the three working committees, the Commission created a data committee, that included representatives from each of the three committees, as well as representatives from the MNPd and from MNCO, the staff department for the COB. Data committee members included the following Commission members and staff from MNCO and MNPd:

- **Communities:** David Esquivel, Partner, Bass, Berry & Sims PLC
- **Policy:** Meera Ballal, Founder, Women's Healthcare Initiative
- **Workforce:** Darrell Talbert, President of Icon Entertainment
- **MNCO:** Dr. Peter Vielehr, Lead Research Analyst, MNCO
- **MNPd:** Matthew Morley, Quality Assurance Manager, MNPd



A Time for Change

Research has shown that criminal activity in cities is highly concentrated in a small number of places and among a small number of people. In recent decades, police departments across the country have sought to address crime with an approach known as “hot-spot policing.”

Researchers have demonstrated that so-called “hot spot” policing is an effective way to reduce criminal activity. However, if the tactic is overused or not targeted, it can result in certain communities feeling overpoliced and under-protected.

That appears to be what happened in Nashville earlier in the decade. In Gideon’s Army, “Driving While Black” report:

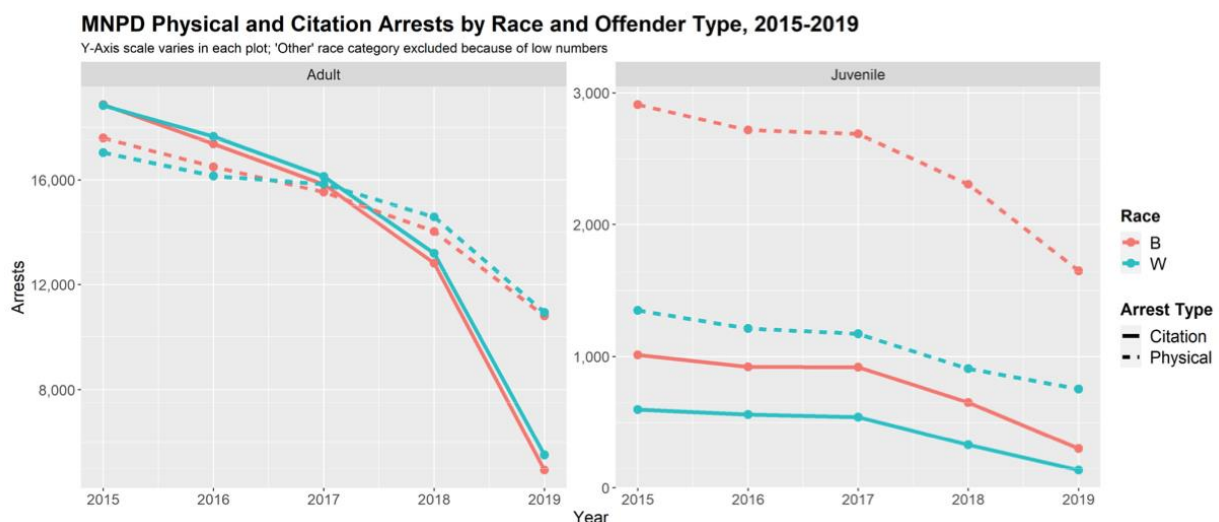
- Between 2011-2015, MNPDP stopped an average of 786 per 1,000 drivers annually, 7.7 times the national average of 102 per 1,000 drivers.
- MNPDP conducts the majority of its traffic stops in predominantly low-income, Black, and Hispanic neighborhoods, which contributes to overall racial disparities in traffic stops.

According to MNPDP administrative data:

- In 2019, 61 percent of the MNPDP’s 299 use of force incidents involved African American residents.

Since 2015, the MNPDP has dramatically reduced the number of arrests and citations. During this period, overall crime rates largely remained flat (although homicides, aggravated assaults, and commercial robberies have increased this year).

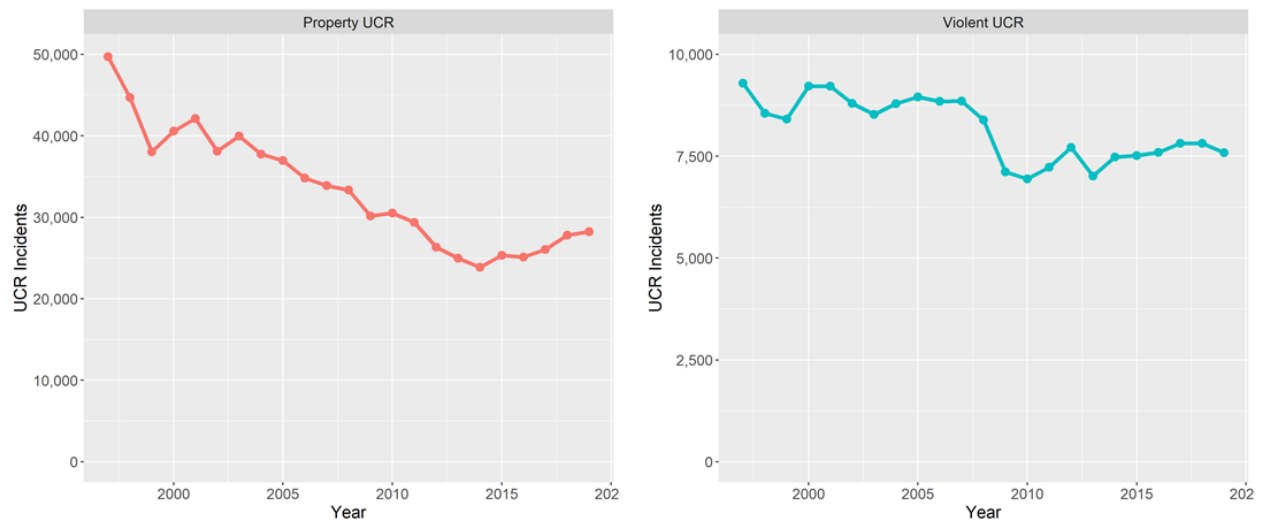
Figure Two: Arrests and Citations, by Race



Figures 2-10 reflect analysis of MNPDP data by MNCO staff.

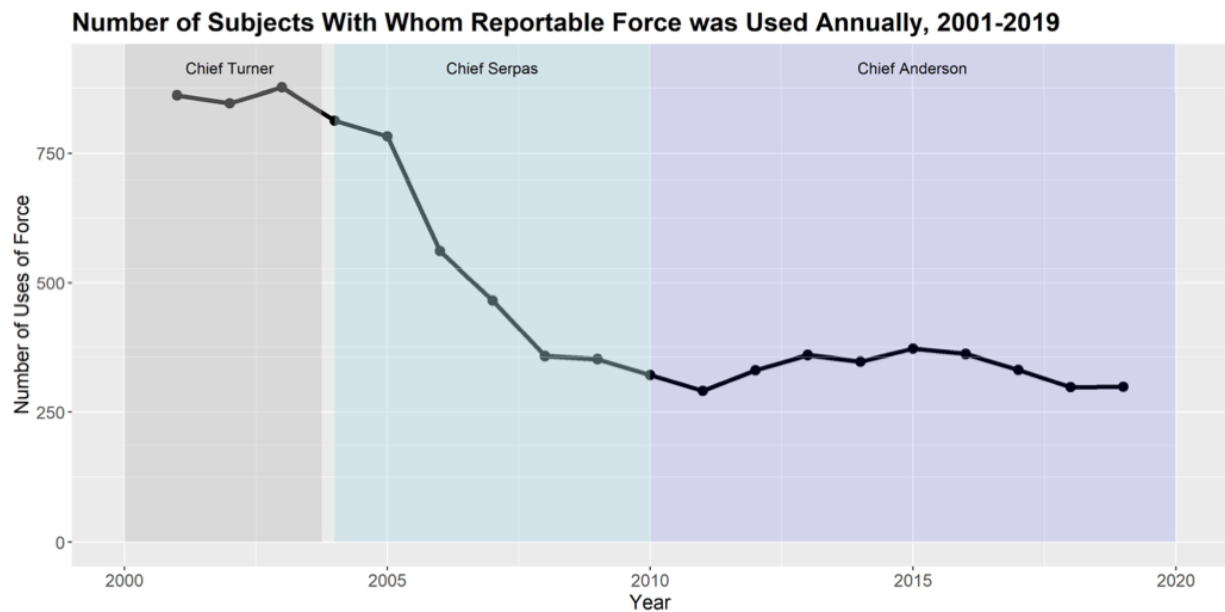
Figure Three: Crime Incidents, 1997-2019

Property UCR Part 1 Crimes: Larceny, Burglary, Motor Vehicle Theft, and Arson; Violent UCR Part 1 Crimes: Homicide, Aggravated Assault, Robbery, and Rape.



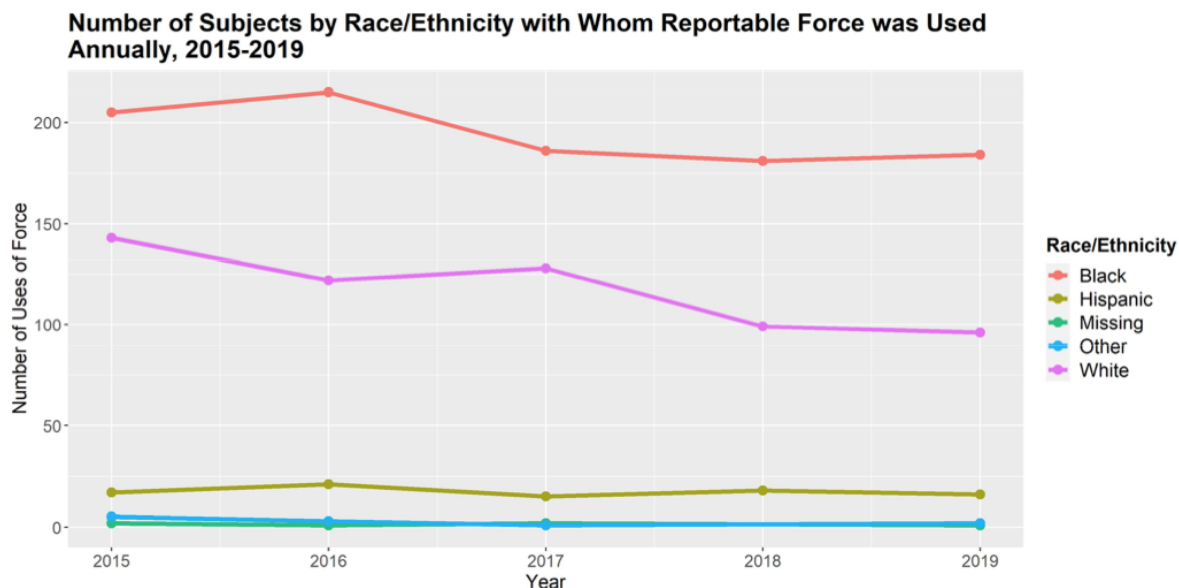
As citations and arrests declined, the department's use of force also declined.

Figure Four: People with Whom Force Was Used, 2001-2019



While the overall use of force has declined sharply, the MNPD has continued to use force more frequently with individuals of color, particularly Black men.

Figure Five: Use of Force by Race/Ethnicity, 2015-2019



Use of force reflects many factors including where calls for service originate, where police operations take place, how officers interact with residents, and whether residents being arrested choose to comply with officer instructions or resist them.

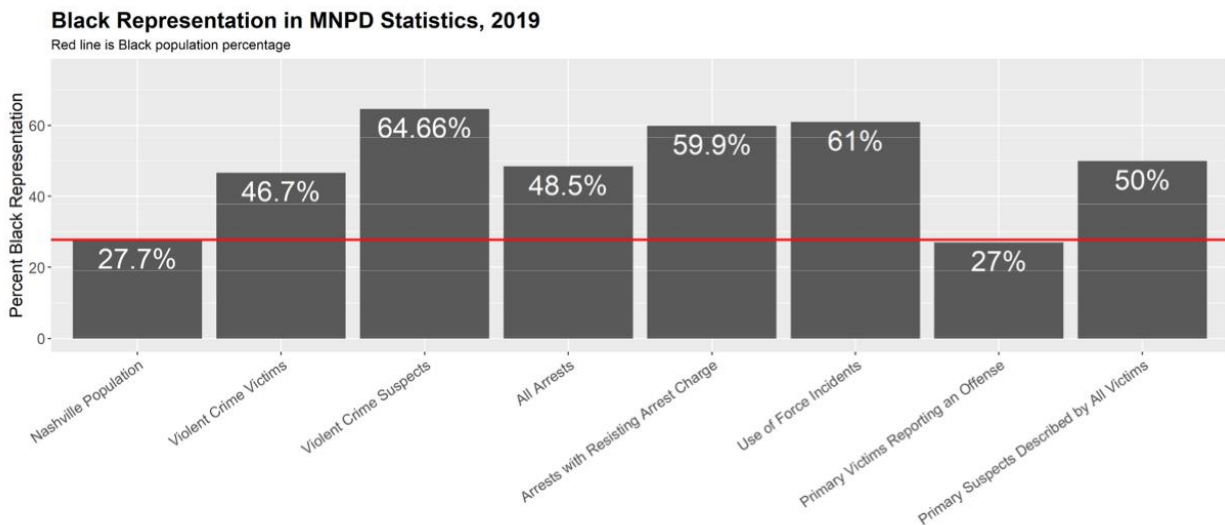
The question of whether white officers use force against Black suspects at a higher rate than Black officers is a subject of great interest among academics, policymakers, and, increasingly, the public at large. In 2019, 61 percent of the MNPDP's 299 use of force incidents involved Black suspects. Forty-three percent of MNPDP's use of force incidents in 2019 involved white male officers using force against Black men.[‡] Black officers and female officers represented only 5.5 percent and 3.4 percent, respectively, of officers applying force on Black individuals. Adjusting for representation on the force[§] and calculating relative rate, white male officers applied use of force five percent higher than Black male officers on Black individuals. In addition, male officers applied force at rates 78 percent higher than female officers on Black individuals.

African Americans account for 27 percent of Nashville's population. Yet they are 47 percent of violent crime victims in Nashville and 48 percent of all arrestees.

[‡] MNPDP administrative data show that 531 officers were involved in 299 incidents of use of force in 2019. Of those incidents, 279 officers were involved in use of force incidents with Black men; 229 were white male officers, 29 Black male officers and 18 women officers.

[§] Force demographics can be found on page 21 of this report.

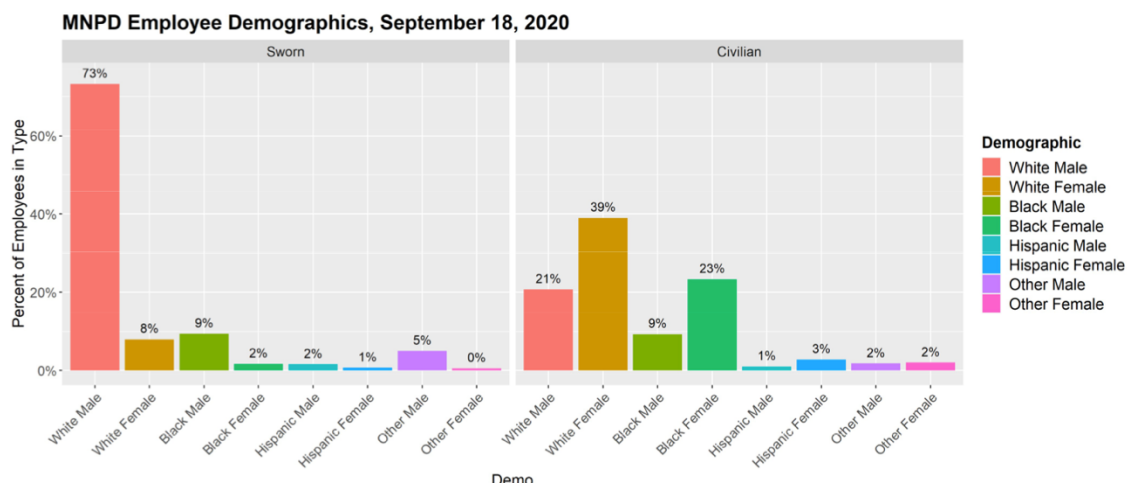
Figure Six: African American Representation in MNPD statistics, 2019



MNPD Workforce does not reflect Nashville demographics

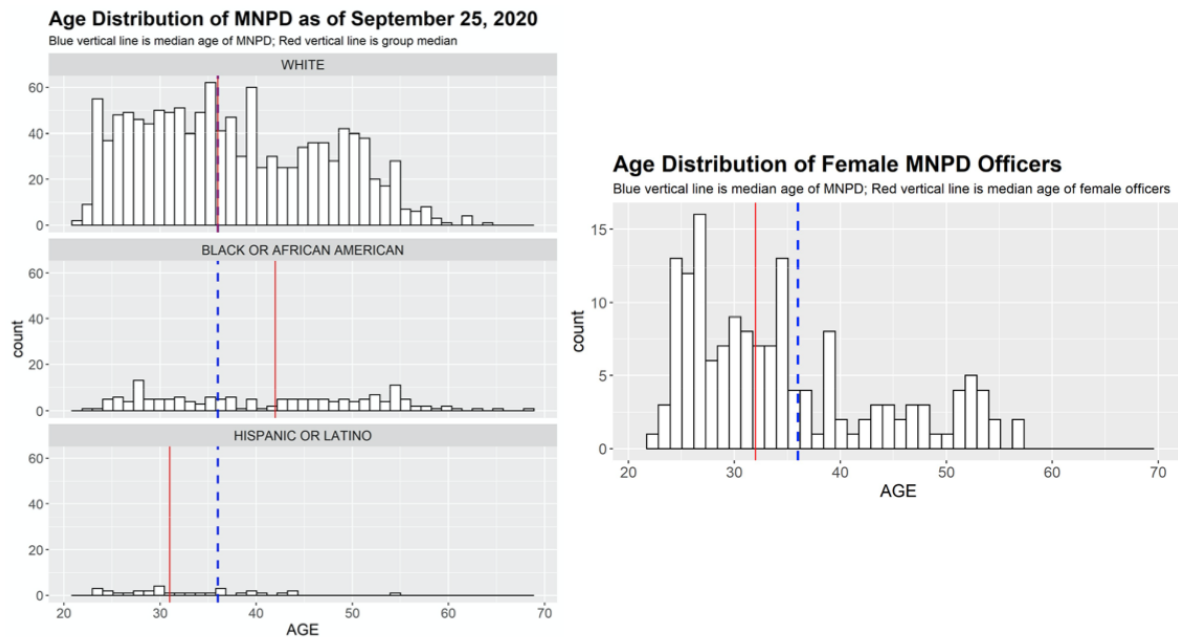
Nashville's Black residents are over-represented as a percentage of the population in the number of arrests and the number of victims. However, they are underrepresented on the MNPD (as are other people of color.)

Figure Seven: MNPD employee demographics, September 2020



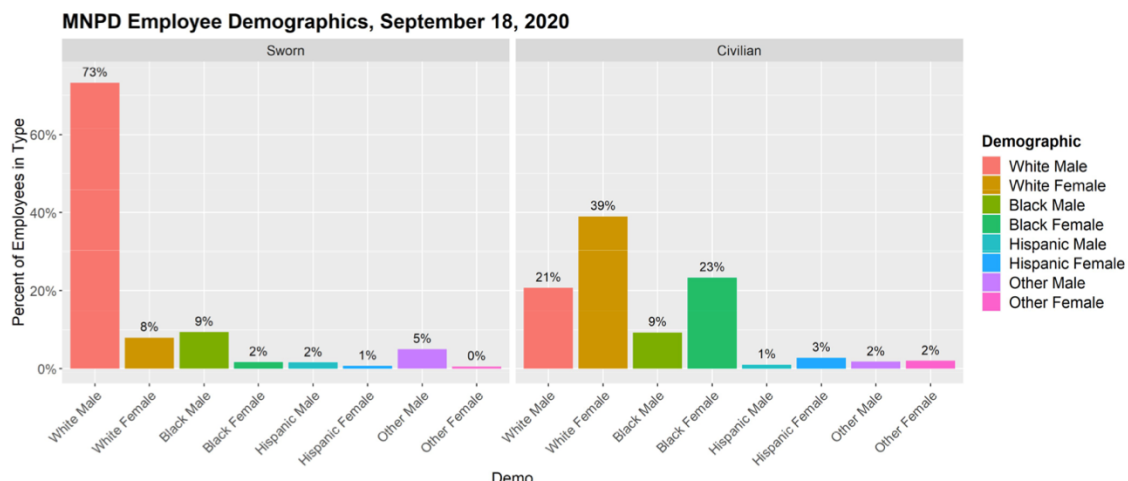
Black officers are older than other white and non-white officers, having a median age of 42 rather than 36. (See age median reflected with the red line in each demographic group in Figure 8 below.)

Figure Eight: Age Distribution Across Ethnic Groups, MNPd, September 2020



That suggests that unless more African American officers are recruited, the department could have declining numbers of African American officers in future years. Yet the MNPd has struggled to recruit and retain a diverse workforce. During recruitment in 2019, for example, 18 percent of candidates were Black men; however, only seven percent of hires during this period were Black men, even though nearly twice that proportion met all eligibility requirements. Candidate pools for white women, Black women and Hispanic applicants are small and produced less than thirty percent of hires in 2019.

Figure Nine: Race/Ethnicity/Gender Composition of Recruits, 2019



The recommendations below reflect the Commission’s approach to identifying specific problems and then aligning recommendations from one or more committees on how to address those problems and achieve the desired results. Recommendations also reflect a specific timeline for implementation during the next chief’s tenure, ranging from actions that can be started immediately to actions that will require 6 to 12 months to actions that will require 12 to 18 months or longer.

Section One: A Nashville Model of Neighborhood Policing

“We have to make sure that the police are not negatively affecting a bad situation. The police are in these neighborhoods, and we need them to positively impact a difficult situation... We recognize that use of force and how force is used often leads to mistrust in [vulnerable] communities... We have a recommendation on collective efficacy and community policing. That’s really all one recommendation because you are targeting these vulnerable populations because that is really where the gap in trust is.”

— Sharon Roberson, president & CEO
YWCA of Nashville and Middle Tennessee,
Commission member and Communities Committee Vice Chair

RESULT: The MNPD collaborates with residents, neighborhood associations, non-profits, faith-based institutions, business and community groups, and with other government departments and agencies to build trust and enhance public safety through the development of a Nashville model of neighborhood policing.

Problem: Some vulnerable populations, particularly family members and people with mental illnesses, are reluctant to call or interact with MNPD officers due to concerns about officer behavior and fears that officer presence could escalate the risk of a conflict.

Commit to a new culture of policing that builds on the “guardian role” and partners with vulnerable communities to address community priorities and local crime patterns in order to increase safety.

- Require training of all officers on strategies that promote neighborhoods’ abilities to control the behavior of members and groups in their own communities, a concept sociologists refer to as “collective efficacy;”
- Adopt a model of problem-oriented community policing in areas with the highest arrest rates in order to work with neighborhoods to identify and address their public safety priorities.

Timeline: 6-12 months

Problem: There is a strained relationship between the MNPD and Black youth and other youth of color from lower socio-economic areas.

Adopt youth specific policies and programs that address the special needs of at-risk youth and commit to positive police interactions.

- Provide opportunities for police officers to interact with youth in community settings and in non-enforcement contexts;
- Provide trauma-informed, juvenile-oriented training for all officers annually;
- Expand the use of School Resource Officers (SROs) with clear and consistent policies of the role of the SROs in the school system;
- Expand the use of conflict resolution, restorative justice, counseling, and other forms of intervention.

Timeline: 6-12 months

Problem: Traditional policing requires officers to perform services better suited for other community resources.

Develop partnerships with community-based nonprofits to support the delivery of social services that enhance safety and promote conflict resolution.

- Identify and expand relationships that redirect traditional police work to methods that better serve particularly vulnerable populations within the community, including developing a co-response model in mental health crisis intervention. This should include Crisis Intervention Teams (CIT) trained to be responsive to a range of ages and the continuum of needs and violence interrupter teams already in the community;
- Develop and implement a coordinating entity that can, in partnership with various nonprofits, deliver the appropriate service response related to mental health, homelessness, domestic disputes, child services, youth referrals, youth engagement, and faith-based institutions;
- Identify and support funding for nonprofits as they pivot towards partnering with the police department and covering new roles as the police begin to focus on their highest and best use of time.

Timeline: 12-18 months

Problem: Traditional policing has required police to serve as first responders to mental health and addiction crises even though police are not clinically trained to address these crises and refer individuals to appropriate services.

Establish a co-response model to mental health crises for Nashville by creating a Crisis Intervention Team (CIT) unit in the MNPd and selecting officers interested in serving in the unit; ensure that mental health professionals serve as co-responders and, where possible, lead interventionists.**

- Continue to partner with the Mobile Crisis Unit and refer to the Crisis Treatment Center operated by the Mental Health Cooperative.

Timeline: Immediately

Problem: Currently, EMS transports all individuals presenting a behavioral health crisis to emergency departments, which does not ensure referral to appropriate care, increases the likelihood of repeat crises, and reinforces the role of the police as first responders in situations for which they are not trained.

Build the capacity across Metro to respond appropriately to behavioral health crises and facilitate swift referral to mental health clinicians by securing a CMS waiver to transport people in crisis to emergency psychiatric services, including the Crisis Treatment Center, and allowing reimbursement of these services to EMS.

Timeline: 6-12 months



*MNPd is eligible to apply for a five-year, \$5 million grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide funding for training and implementation of CIT. Depending upon the grant structure from SAMHSA, Metro may apply directly or through the Tennessee Department of Mental Health and Substance Abuse Services. Opening of the grant application process will occur in January 2021 and funding will be announced in September 2021.

“Six hundred people are in shelters in Nashville. In addition to that, we know on a daily basis there are an estimated 600-800 people living outdoors. During COVID, libraries, parks, church services and day centers where people usually gather are not opened. There are now food insecurities among people experiencing homelessness... All of this results in increased mental health crisis, increased violence due to increased mental health crisis, self-medication, which may include illegal drug use, and increased calls from neighbors about people experiencing homelessness encampments. All these calls go to the police department...”

— Judith Tackett, Director
Homeless Impact Division
of Metro Social Service

“Two years ago, the MNPd asked us to develop a CIT training for them, 40 hours. They pulled in all of their negotiators, and we brought in speakers and trainers from a variety of different agencies around town and put them through 40 hours, just like CIT would. They have utilized that training time and time again. Nine times out of 10 if there is a standoff, even if they don’t know the person is mentally ill or not, they are calling us to have a responder there. The advantage of that is we can look at information in our system to let us know if we have ever seen that person before or gather mental health information or talk to the support system of that person who is in that very painful situation and gather information about the mental health issue, give that to the negotiator to try to end this peacefully.

— Amanda Bracht, LCSW, Senior Vice President
Clinical Services, Mental Health Cooperative

Section Two: A Police Department that Reflects the Diversity of Nashville

RESULT: The MNPDP better reflects the diversity of the city it serves at every level of the organization.

The Policing Policy Commission sees increasing diversity in the police department as a top priority for the next Chief of Police.

Problem: Recruitment behaviors currently work against efforts to promote diversity; the MNPDP does not attract, retain and promote enough qualified people of color and women applicants.

Commit to a new approach to recruitment that builds trust with Nashvillians, increases the number of people of color and women applicants through innovative recruiting strategies, and focuses on sustainable workforce outcomes.

- Set bold, ambitious goals for recruiting diverse applicants; remove barriers to recruitment of underrepresented populations; and publicly report on openings and results;
- Diversify the Recruiting Unit so that it mirrors the diversity sought in the overall workforce. Increase the Recruiting/Hiring Unit with additional sworn personnel from underrepresented groups.
- At least twice each year, recruit an applicant pool that mirrors the Davidson County/Nashville population.

Timeline: Immediately

Report to public the demographic characteristics of applicants for MNPDP police officer positions through a coordinated communications effort between the Mayor's Office and MNPDP leadership.

- Create a plan with owners and benchmarks to increase minority applicants;
- Draft a detailed 36-month plan for recruiting qualified diverse candidates;
- Offer incentives, such as Academy graduation bonuses, to attract a diverse applicant pool;
- Offer incentive pay for exceptional qualifications, such as bi- or multi-lingual candidates;
- Offer a referral bonus for officers who recommend a candidate who graduates from the Academy.

Timeline: 12-18 months

- Increase digital efforts to recruit MNPDP candidates. Hire digital/marketing agency or personnel with experience in diversity engagement to create a campaign to raise interest in policing careers for minority candidates.

Timeline: 18-24 months

- Eliminate possible barriers and disqualifiers to hiring candidates from underrepresented demographics.

Timeline: Immediately

- Establish new recruiting and hiring processes that emphasize character first;
- Develop training that fosters the necessary skills, knowledge and abilities;
- Set minimum character requirements and train for knowledge, skills and abilities;
- Assess culture of academy and training practices;
- Maintain a diverse MNPd training Academy staff;
- Increase diversity training for MNPd Academy staff.

Timeline: 12 months



“Recruitment of minorities has to come from the top. It has to be a goal. It has to be a desire. It has to be a priority and it has to be filtered down through the ranks. Everyone has to know this is our mission here...a lot of that recruitment is like a tree. The limbs grow out. It starts in recruitment, but it goes into transfers and promotions and all of those things. People in Nashville want to see some representation.”

— MNPd Ret. Sgt. Marita Granberry

“Not to be trite at all about it, but there are two reasons why police departments don’t hire minorities. It’s either the police department doesn’t want to hire them – [in the department’s] words, actions, and feelings – or the community doesn’t want to work for that police department. And I would suggest those are two [issues that] are directly related. If the police department doesn’t value from the very top...that it wants minority representation, that it wants to do everything they can to attract, value, and retain people who look different than we currently look...[and] people who come from different places, then, why would they want to work for [the department]?”

— Former Chattanooga Police Chief Fred Fletcher

Problem: Black officers as a group are older than any other group of officers in the department, reflecting attrition before retirement age and fewer numbers of young recruits. Women, Latinx, and other diverse communities are underrepresented on the force.

Institute new practices to retain sworn officers with an emphasis on existing Black and Latinx officers, women, and other underrepresented officers in the force. Increase promotional opportunities and assignment-based pay to attract minority candidates and women.

- Utilize workforce development strategies to improve retention rates for minority officers and women;
- Increase promotional opportunities and assignment-based pay to attract minority candidates and women;
- Set aggressive goals to improve retention rates so that MNPDP reflects the population of Nashville-Davidson County;
- Initiate a two-year study of exit interview data and conduct anonymous internal and external surveys of former officers to determine why minority officers left the MNPDP;
- Utilize data to improve retention rates for minority officers;
- Arrange for an external entity to conduct exit interviews;
- Create a minority mentoring program to encourage a promotional track for MNPDP police officers.

Timeline: 6-12 months

Problem: The leadership of MNPDP is significantly less diverse than the population of Nashville.

Establish a clear and transparent process for staff to be promoted into valued leadership roles and periodically report to the public on promotions.

- Prioritize the promotion of qualified minority and women candidates to improve representation within the police department and publicly report results;
- Publicly release the demographics and qualifications of staff being promoted to leadership positions and permanently post publicly any requirements, guidelines, and decision-making process for promotions.

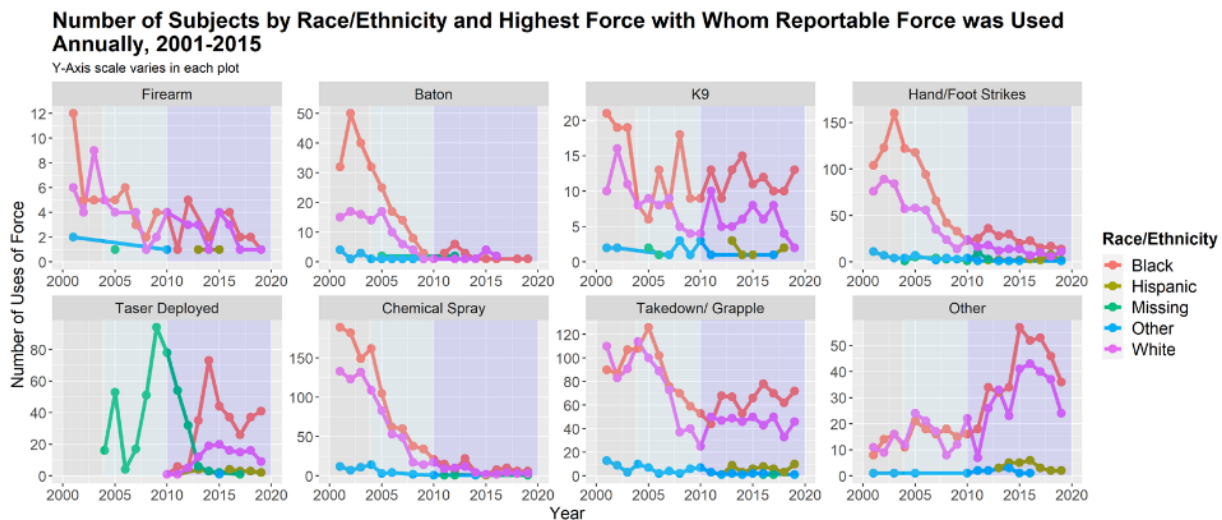
Timeline: Immediately

Section Three: Disparities in the Use of Force

RESULT: The MNPDP works to eliminate disparities in the application of all types of use of force and issues regular reports around the use of force, while also providing information to the COB to conduct its core oversight responsibility.

Problem: Despite an overall decline in police use of force, disparities in use of force persist in four categories of use of force.

Figure Ten: Use of Force by Race/Ethnicity, 2001-2015



Commit to new practices, procedures, and policies that result in the dramatic decrease of racial disparities.

- Require that de-escalation tactics be utilized before an officer uses force, be it non-deadly or deadly;
- Establish that failing to use reasonable de-escalation techniques under the appropriate circumstances will result in disciplinary action;
- Require that training clearly states and teaches that physical force should only be used as a last resort.

Timeline: 6 months

#8cantwait

Problem: The #8cantwait website, which was last updated on MNPDP policies on August 15, 2020, reports that the Nashville police department fulfills only four of the eight requirements.

- Incorporate policies that fulfill the remaining four recommendations of the #8cantwait initiative. The following procedures should be updated: Requires De-escalation, Duty to Intervene, Ban Shooting at Moving Vehicles, and Requires Comprehensive Reporting.

Timeline: Immediately

“No-Knock” Warrants

Problem: “No-knock,” “knock-and-announce,” or any kind of forced entry to execute an arrest warrant or a search warrant presents an unacceptable risk of harm or death to the community members and/or officers involved.

Officially and explicitly ban “No-Knock” warrants in all of MNPd materials, including its manual.

- Together with the Metropolitan Nashville Community Oversight (MNCO), conduct a thorough review of MNPd’s “Knock-and-Announce” policies, using all relevant materials, and make suggestions for improvements that draw on national best practices of review;
- Require that body-worn cameras be mandated for all officers participating in “knock-and-announce” warrants;
- Require that serving “knock-and-announce” warrants will automatically be grounds for a review by MNCO;
- Require consistent use of bodyworn cameras by officers;
- Require that the MNPd captain who oversees bodyworn cameras report directly to the Police Chief concerning content from videos that document use of force and compliance by officers and that said Captain works collaboratively with the MNCO and other community organizations;
- Create policy regarding regular review of the videos.

Timeline: Immediately

Excited Delirium^{††}

- Stop teaching “excited delirium” at the Police Training Academy;
- Partner with EMS and Mobile Crisis to develop protocols ensuring the safety of the individuals, the officers, the community, and the EMS providers;
- If, at the scene of an incident, officers suspect a medical emergency, call for EMTs and trained mental health providers to assess each suspect and recommend appropriate course of action.

Timeline: Immediately

^{††} “Excited delirium” is a term used primarily by medical pathologists and typically defined as “a state of agitation, excitability, paranoia, aggression, and apparent immunity to pain, often associated with stimulant use and certain psychiatric disorders.” It has become a controversial term. Critics say it is often used to justify excessive use of force and is not a clinical diagnosis.

Metro Nashville Community Oversight

Problem: An impartial review of systemic MNPDP issues that lead to disproportionate uses of force against communities of color is overdue.

Cooperate with Metro Nashville Community Oversight (MNCO^{††}), the Metro department that supports the work for the Community Oversight Board (COB), to allow for quarterly, random audits of MNPDP records, including arrest reports, body/dash cam footage, and personnel files to determine whether racial and/or other bias appears to be a factor in arrests.

- Consult with MNCO prior to formalizing any future initiative targeting high-crime areas in order to review the intent, purpose, and potentially negative ramifications of the initiative prior to implementation;
- Conduct a full-scale review of MNPDP's Continuum of Force with MNCO that strongly considers and remedies the harm to community relations and the disproportionate impact that teaching "Police Presence" as the first step on the continuum of force creates in communities of color and other marginalized communities.
- Support and extend full access to MNCO for the review of the following:
 - requests for the receipt of weapons and vehicles under the 1033 Program;
 - requests for grant funding from the federal government that will be used to purchase military-style weapons and vehicles; and
 - proposals to purchase military-style weapons and vehicles from vendors.
- Consider clearer policy using more specific techniques, including chart or pyramid of de-escalation techniques that are prerequisites to use of force around the MNPDP Incident Decision Making Model;
- Consider whether there are alternative de-escalation techniques to Vistelar Verbal Defense and Influence (VDI) de-escalation techniques that have proven effective in peer-city police departments;^{§§}
- Enhance policies regarding agency referrals regarding mental health.

Timeline: 6-12 months

^{††} "Use of force continuum" is a phrase used to describe the levels of force that law enforcement agencies typically permit. A typical use of force continuum includes the following levels: officer presence, verbalization, empty-hand control, less-lethal methods, and lethal force. <https://nij.ojp.gov/topics/articles/use-force-continuum>.

^{§§} De-escalation is typically defined in the following manner: "Taking action or communicating verbally or nonverbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary." There are a variety of different approaches, many developed in the medical field. Rigorous evaluations of these approaches are lacking.

https://www.theiacp.org/sites/default/files/IACP_UC_De-escalation%20Systematic%20Review.pdf

Section Four: Officer Training, Skills, and Behaviors and Department Culture

RESULT: MNPDP officer training, skills, and behaviors, as well as department culture, reflect a commitment to consistent and respectful interactions with all Nashvillians, including African Americans and other residents of color, Muslim Americans and immigrant-origin communities, and LGBTQ+ residents, as part of a concerted effort to eliminate disparities in the use of force.

Public opinion polls have historically shown high levels of support for the MNPDP. Vanderbilt University's annual survey has shown that more than 70 percent of the public typically express high levels of support for the police. Annual assessments conducted by the department of people who had dealings with police likewise show high levels of satisfaction. However, national surveys as well as research into Nashville conducted by MNCO lead research analyst, Dr. Peter Vielehr, suggest that people of color have lower levels of trust than whites.

The experience of being stopped and questioned by the police for no apparent reason was a common experience among Commission members and by the invited guest speakers of color. The overall experience was sometimes described as being "over-policed but under-protected."

Problem: The current training and promotion policies and procedures fail to equip officers with skills to connect with diverse populations and reflect a default position of police as "warriors" not as "guardians." In particular, the current MNPDP training curriculum is imbalanced as it relates to "empty hand" tactics and trauma-informed training and practices.

Officer preparation

- All officers (non-administrative roles) engaging with the public should submit to annual physical and mental health examinations, with the mental health examinations facilitated by non-MNPDP personnel and the physical health examinations including a minimum standard agility exam;
- New recruits should receive COB education, exposure, and engagement that offers an opportunity to explore and discuss MNPDP and COB's working relationship and the role that COB plays in engaging and representing the community.

Timeline: 6-12 months

Training

- Replace the existing Training Academy facility, which is too small and seriously outdated;
- Through required training, continue to emphasize de-escalation and less use of deadly force by officers;

- Review training annually, including a regular review of national best practices and resources needed to improve trainings and the resources needed to decrease the potential for use of force techniques;
- Implement policies and tools for greater public transparency on use of force incidents, including demographic, geographic, and other identifying information.

Timeline: 12-18 months

De-escalation

- Increase the hours of empty-hand training at the academy and during in-service training;***
- Incorporate comprehensive, trauma-informed practices into all training;
- Allow MNCO to review all MNPDP policies, procedures, and trainings to ensure consistency between policies in the Manual and prohibitions that are covered in training.

Timeline: 6-12 months

Cultural Competency

Provide mandatory cultural competency training, providing positive exposure to marginalized neighborhoods and community members.

- Educate officers on the history of MNPDP engagement and presence with neighborhood/community groups that goes beyond 1960's Civil Rights era.

Timeline: 6-12 months

Culture

Problem: The current culture of the MNPDP is not inclusive for all groups.

Enhance internal training to ensure an equitable and inclusive workforce where all staff, and therefore community members, will feel safe and are able to thrive within the MNPDP.

- Hire outside experts to conduct a thorough assessment of cultural competency of policies, testing, and training classes;
- Immediately begin tracking all complaints to determine whether a pattern of misbehavior exists among the workforce;
- Revise policies to eliminate use of children and neighbors as interpreters; implement procedures to ensure use of neutral, competent interpreters for non-native English speakers.

Timeline: 6-12 months

*** There are two types of empty hand control techniques, "soft" and "hard." "Soft" techniques may include grabs, holds and joint locks to restrain an individual. "Hard" techniques may include the use of punches and kicks to restrain a suspect. <https://nij.ojp.gov/topics/articles/use-force-continuum>

Problem: The MNPd has had public claims of sexual assault/sexual harassment complaints.

Create a workplace where sexual harassment and assault is not tolerated.

- Ensure that internal MNPd complaints are handled in a trauma-responsive manner;
- Refer all sexual assault investigations to an outside agency in consultation with the District Attorney's Office;
- Create a "zero tolerance" policy around sexual assault and sexual harassment;
- Identify senior staff or form a committee of existing personnel to ensure a diverse response within the MNPd and provide support and feedback on strategic departmental goals in a budget neutral fashion.

Timeline: 12-18 months

Reduce the number of harassment complaints within the department by creating a culturally aware workplace as well as conducting training on proper speech and behavior.

- Increase anti-bias and cultural competency training and Title VII training;⁺⁺⁺
- Handle harassment or hostile workplace complaints expeditiously and communicate their resolution to the parties;
- Consult with the Sexual Assault Center (SAC), The YWCA, and other NGOs to conduct a blind review of complaints and policy;
- Adopt the International Association of Chiefs of Police and the US Department of Justice's recommendations for how to conduct sexual assault/harassment complaints within MNPd;
- Create an aggressive policy to prevent all retaliatory behavior or treatment;
- Prohibit LGBTQ+ and sworn personnel from being out for assignment or placed within the department because of their identity within the population. Maintain and increase support for the LGBTQ+ MNPd liaison;
- Develop a multi-disciplinary working group to help MNPd improve trauma-responsive policies. Establish relationships with outside agencies to monitor adherence to new policies.

Timeline: 6-12 months

Problem: The morale within the MNPd suffers because of a perception of inconsistent disciplinary application.

Establish a transparent and timely process for complaints and disciplinary action.

- Publish a standard operating procedure that is readily accessible to sworn personnel and the public;
- Complete all investigations of officers who have been taken off duty (decommissioned) within 30 days;

⁺⁺⁺ Title VII of the *Civil Rights Act of 1964* prohibits employment discrimination based on race, color, religion, sex, and national origin. Subsequent legislation has further extended these protections.

- Assemble a multi-disciplinary team to review and revise standard operating procedures on discipline and disciplinary investigations;
- Communicate the process to all parties involved in the investigative process;
- There should be a 45-day limit from the time an employee requests a hearing until it is conducted, to mirror the time limit given the MNPd to conduct Office of Professional Accountability investigations.^{***} This time should be extended with justifiable cause, such as requests by the employee to extend for preparation, or revelations of new evidence as examples of some causes;
- Establish a procedure for reviewing those exceptions to the time deadline and limit those exceptions to only those which fit in the acceptable category.

Timeline: 6-12 months

Research and Public Reporting

- Make efforts to collaborate with research universities to measure effectiveness of policies and procedures in achieving department goals, particularly with respect to community engagement and satisfaction.

Timeline: 12-18 months

Use of Force

Implement policies and tools for greater public transparency on use of force incidents, including demographic, geographic, and other identifying information.

- Explicitly define what qualifies as “soft empty hand contact” and what warrants the filing of a Form 108, the MNPd form used for reporting use of force and how these practices will be taught during Academy instruction;
- Make the use of Form 108 mandatory despite injury or “soft empty hand” contact between officer and any non-MNPd person;
- Develop a clear definition of broad terms like “serious bodily injury” and “injury” for determining disciplinary actions;
- In the event that a use of force results in the admission to the hospital, remove officers from the line of duty and field assignments until a formal investigation has been completed;
- In the event that an officer uses an All-Points Bulletin (APB) as a justification for stopping and/or arresting a suspect, require that officers include information about that APB/Department of Emergency Communications (DEC) communication in their notes/report.

Timeline: 6-12 months

^{***} The MNPd Office of Professional Accountability is responsible for classifying and reviewing all complaints made to the MPND, directing all investigations, making recommendations regarding the disposition of cases, and ensuring consistency for proposed discipline. It also evaluates the internal investigation process and makes recommendations on strategies and policies to improve complaint gathering and investigative procedures, as well as informing the public about its operations and procedures.

Conclusion

This report marks a beginning, not an end. It now falls to the next Chief of Police, to the Mayor's Office, the Metro Council, and the public at large to ensure that the goals set by this Commission are achieved. Along the way, there will be disagreements and debates about how best to proceed. One thing that the work of this Commission has taught us is that Nashville is a city of great diversity. It is also a place of great civility, a city that can have hard conversations respectfully, a city that seeks out different opinions and deliberates about best practices and policies.

People see policing and public safety in different ways. People have different fears. People have had different experiences. Yet to a remarkable extent, this is a city that shares a common perspective. Residents want a police department that treats everyone fairly and respectfully. Residents want to see police use of force continue to fall, for every racial and ethnic group. Residents want a new model of neighborhood policing, one that emphasizes collaboration and partnership. Residents agree that the MNPd should look more like the city it serves. All of us want a police department that is transparent and accountable.

What this Commission wants most of all – and believes Nashville needs – is a Nashville model of policing.

Now is the time for the real work of building that to begin.

