

METRO NASHVILLE COMMUNITY OVERSIGHT BOARD ANNUAL REPORT

2021



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COMMUNITY-OVERSIGHT
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NOTE FROM THE CHAIR

In 2021, we made it our goal to catch up—to work through the backlog of cases caused by MNPd’s withholding of records prior to signing the memorandum of understanding.

In fact, thanks to the hard work and dedication of the MNCO staff, the Board examined 13 Proposed Resolution Reports, finally providing some closure to community members who trusted MNCO to handle complaints of officer misconduct. As we enter the new year, we are well on our way to becoming current with MNCO’s case log.

2021 also solidified the Board’s role in advocating for our community’s interests as our city representatives took up law enforcement issues.

Specifically, as Metro Council considered legislation allowing the use of license plate readers in Nashville, the Board raised its voice to highlight issues with LPR use. In several letters to Metro Council, the Board expressed concerns with the technology’s potential for racial bias, and its potential for abuse. Helpful as ever, research analysts at MNCO released insightful analysis on the proposed legislation and invited several experts to speak at Board meetings.

I cannot fail to write about police shootings that occurred in 2021. During the calendar year, there were 10 shootings by police officers in Nashville, the most on record since MNPd began tracking the data. The Board is grateful for the MNCO investigators who responded to each incident in real-time.



As the Board enters its fourth year, it will see new leadership and new members. It will see a possible expansion of MNCO, as the agency requests more funding to build a staff better able to respond to growing demands for its services.

I look forward to seeing the Board and MNCO as they continue to serve the Nashville community.

Andrés Martínez

ANDRÉS MARTÍNEZ

**CHAIR - COMMUNITY
OVERSIGHT BOARD**

DIRECTOR'S STATEMENT

Dear Community,

As 2021 closes, I write this letter in the shadow of a new year that hopes to bring opportunity and countless possibilities. The Community Oversight Board and Metro Nashville Community Oversight have stood strong through the many challenges we faced this year, but we kept pushing for change.

We saw many in the community struggle through homelessness because of a rise in evictions, rollercoaster results of the pandemic, increased unemployment, food and affordable housing shortages, intensified mental health conditions, and an increase in police shootings and killings.

We saw a resilient community rise up and support those in need. Nashville is a community that knows how to keep moving forward in the midst of challenges. It will take strength, wisdom, fortitude, and empowerment to continue going onward when hearts are heavy, patience is thin, and progress is fleeting.

We must continue pursuing reform in policing vigorously. We must prioritize those in the community who are vulnerable and push for our officers to have training that centers those with mental health conditions.

We must push for structural and culture change within the department, diversity and inclusion within MNPd's leadership, and accountability from every officer that serves the Nashville community.



We must value and show respect to the loved ones who have lost a spouse, mother, father, son, daughter, cousin, niece, or nephew during a police encounter. We are only Nashville Strong when we show dignity to all people, no matter who they are or the circumstances.

Let's move the Nashville we love forward together.

We are thankful the Community continues to trust the MNCO with providing an independent review of complaints against MNPd and we are committed to providing this service with respect, fairness, integrity and commitment.

Warmest regards,

A handwritten signature in blue ink, appearing to read 'Jill', followed by a long horizontal line extending to the right.

JILL FITCHEARD

**EXECUTIVE DIRECTOR -
COB/MNCO**

TABLE OF CONTENTS

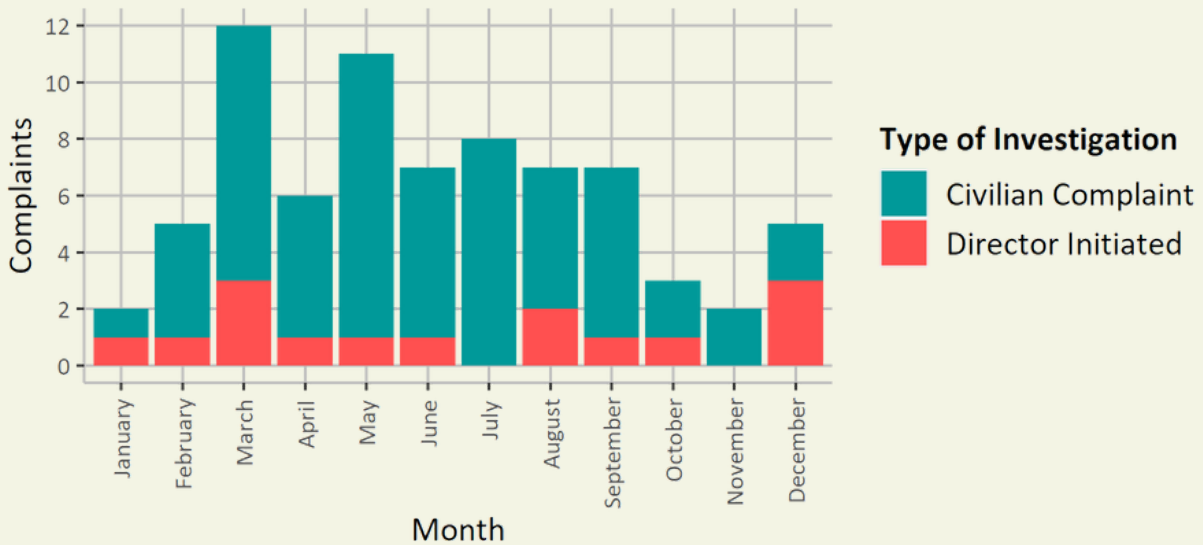
Note from the Chair	1
Director's Statement	2
2021 Highlights	4
About the COB	5
COB Members	7
COB Members Whose Terms are Expiring	9
COB in the News	10
About MNCO	11
MNCO Staff	14
Multiple MNCO Staff Hired	15
Training and Professional Development	16
2021 Challenges and Successes	17
Investigations	19
Mediation Program	21
Number & Nature of Misconduct Allegations & Reviews Conducted	23
Civilian Complaint Allegations, Demographics, & Outcomes	26
Outcomes of Civilian Complaint Investigations	27
Research and Policy	29
Analysis and Evaluation Standards	30
2021 Policy Recommendations	31
Community Engagement	35
Criminal Justice Concerns Raised by the Community	37
Automated License Plate Readers	39
Mental Health Calls	40
Officer Firearm Report	42
Appendix	49
Descriptions of Investigative Findings Issued by COB	50

2021 HIGHLIGHTS

In 2021, the Community Oversight Board made significant progress towards its goals of transparency, accountability, and trustworthiness.

While interrupted by the ongoing pandemic and staff turnover, the COB continued to work toward ensuring accountability and reform in the Metro Nashville Police Department.

Total Complaints Made by Month in 2021



43
%

OF CITIZEN COMPLAINTS INVESTIGATED

75

COMPLAINTS & DIRECTOR REVIEWS

2267

HOURS WORKED BY INVESTIGATORS ON MISCONDUCT ALLEGATIONS

1900

RESIDENTS REACHED THROUGH COMMUNITY ENGAGEMENT

22
%

OF COMPLAINTS SUSTAINED

14

ZIP CODES REPRESENTED IN COMPLAINTS

79

ALLEGATIONS ADJUDICATED IN PRRS

13

RECOMMENDATIONS MADE TO MNPD

6

TOWN HALLS HELD



About the Community Oversight Board

The Metro Nashville Community Oversight Board (COB) was created through the dedicated organizing efforts of Nashville residents. In January of 2018, the Metro Council voted against a public hearing on creating a police oversight board. Undeterred, Community Oversight Now, the coalition advocating for the COB, 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.

The Metro Charter Amendment specified the structure of the COB, the minimum staff that would be hired to support the board, and a minimum budget amount. 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—134,371 votes to 94,129.

The COB’s bylaws were developed and approved by the full Board in June 2019. Operational Rules for the Board and staff were adopted in September 2019. Board documents are available at: nashville.gov/departments/community-oversight



THE COB 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.

The Board has the power to investigate allegations that Metro Nashville Police Department (MNP) officers have committed misconduct against members of the public as well as issue policy advisory reports making recommendations to agencies involved in the Davidson County criminal justice system. The Board also has the option of establishing a monitoring program that provides an ongoing review or audit of the complaint process administered by the MNP Office of Professional Accountability (OPA) or equivalent internal affairs program in MNP.

Based on the factual findings of COB investigations, the Board may recommend that discipline be given within the parameters of civil service rules and regulations and, when appropriate, refer criminal misconduct and civil rights violations to the District Attorney, Grand Jury, or U.S. Attorney. MNP shall respond to disciplinary recommendations in writing.

COB MEMBERS - COMMUNITY-NOMINATED



ANDRES MARTÍNEZ (CHAIR)
DIRECTOR OF POLICY AND
COMMUNICATIONS,
CONEXIÓN AMERICAS



JAMEL CAMPBELL-GOOCH
(FIRST VICE CHAIR)
FIELD DIRECTOR OF THE BLACK
NASHVILLE ASSEMBLY AND
FOUNDER/CO-DIRECTOR OF THE
SOUTHERN MOVEMENT COMMITTEE



JOE BROWN
RETIRED JUDGE



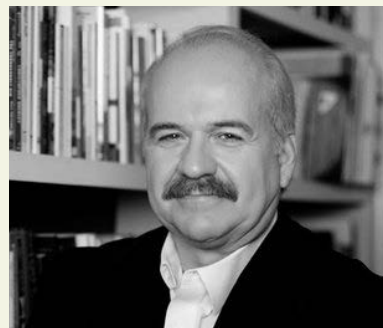
HAMID ABDULLAH
NORTHWEST PARTNERSHIP MANAGER
AT PENCIL



SHAWN WHITSELL
ARTS PRACTITIONER



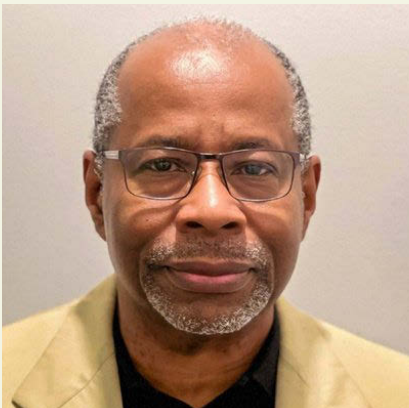
MAKALYA MCCREE
CONSTITUENT SERVICES
REPRESENTATIVE FOR THE
US HOUSE OF REPRESENTATIVES



MARK WYNN
RETIRED MNPD OFFICER AND
POLICE CONSULTANT



COB MEMBERS - COUNCIL NOMINATED



ARNOLD HAYES (2ND VICE CHAIR)
RETIRED FORD MOTOR COMPANY
ENGINEER/MANAGEMENT. FAITH LEADER
AND COMMUNITY ACTIVIST



WALTER HOLLOWAY
RETIRED MNPD OFFICER

MAYOR NOMINATED



PHYLLIS HILDRETH
VP FOR STRATEGY AND INSTITUTIONAL
ADVANCEMENT, AMERICAN BAPTIST
COLLEGE; ASSOCIATE PROFESSOR OF
CONFLICT MANAGEMENT, LIPSCOMB
UNIVERSITY



DREW GODDARD (SECRETARY)
ATTORNEY

COB MEMBERS WHOSE TERMS ARE EXPIRING

In January 2022, the terms of four Board members will expire: Chair Martinez, 1st Vice-Chair Campbell-Gooch, Secretary Goddard, and Mr. Holloway. Of these, two members must be representatives of either a community organization or a private petition signed by 50 residents of Davidson County. The third vacancy is to be filled by the Mayor's office. The fourth vacancy is to be filled by a Metropolitan Council nominee. The election and confirmation of new Board members will be completed on February 15, 2022, by the Council. Members whose terms are expiring are eligible to re-apply.



ANDRES MARTÍNEZ (CHAIR)
DIRECTOR OF POLICY AND COMMUNICATIONS,
CONEXIÓN AMERICAS



JAMEL CAMPBELL-GOOCH (FIRST VICE CHAIR)
FIELD DIRECTOR OF THE BLACK NASHVILLE ASSEMBLY
AND FOUNDER/CO-DIRECTOR OF THE SOUTHERN
MOVEMENT COMMITTEE



DREW GODDARD (SECRETARY)
ATTORNEY



WALTER HOLLOWAY
RETIRED MNPD OFFICER

COB IN THE NEWS

The work of the COB led to several notable, newsworthy changes in Nashville. The COB came into existence shortly after former MNPDP Officer Andrew Delke shot and killed Daniel Hambrick as he ran away. It was Hambrick's death as well as the death of Jocques Clemmons that put public pressure on Nashville politicians to create structural change, in part in the form of the COB.

Former MNPDP Officer Andrew Delke sentenced to 3 years in prison after entering voluntary manslaughter guilty plea

CHUCK MORRIS, ZACH GILCHRIST

Nearly three years after Delke shot and killed Hambrick, he took a plea deal for three years in prison on voluntary manslaughter, becoming the first Nashville officer to face jail time for killing a Black man. See Director Fitchard's statement on the plea deal here: <https://bit.ly/3FdIPnf>

'We are finding people who are in crisis': Mental health workers joined police on over 500 calls

Rachel Wegner Nashville Tennessean

In response to the high number of mental health related calls for serve as well as a 2020 COB recommendation, MNPDP instituted Partners in Care (PIC), a pilot program that pairs mental health clinicians with MNPDP officers to deliver mental health crisis intervention. The COB met with Dia Cirillo from the Mayor's Office, Inspector David Imhoff from MNPDP, Amanda Brock from the Mental Health Co-Op, and Joe Ingle of the NOAH Criminal Justice Task Force to discuss the implementation of PIC. The COB also sits on PIC's stakeholder committee.

Multi-Agency Commission Will Look For Gaps In Law Enforcement's Handling of 2019 Nashville Bomber Tip

SAMANTHA MAX JANUARY 11, 2021

In response to the downtown bombing on Christmas 2020 and criticism that there may have been uninvestigated warning signs, MNPDP created a commission to investigate whether there were any missteps that the department could have avoided. Director Fitchard was one of five members of the commission, joining Dwayne Green, deputy chief of MNPDP's Community Services Bureau, Kathy Morante, director of MNPDP's Office of Professional Accountability, Jennifer Gamble, chair of the Metro Council's public safety committee, and Ed Yarbrough, former U.S. attorney for the Middle District of Tennessee.



About Metro Nashville Community Oversight

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 (MNPd) 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 MNPd, enhancing community-police relations and creating a safer Nashville.

The mission of the Board is supported by Metro Nashville Community Oversight (MNCO), a department of the Metropolitan Government of Nashville and Davidson County. MNCO is the staff department for the COB and runs the day-to-day operations of the Board.

MNCO’S VISION IS 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 has been in operation since June 2019, and consists of an Executive Director, an Assistant Director, a Legal Advisor, three Investigators, two Research Analysts, a Community Liaison, and an Administrative Assistant.



MNCO'S VALUES ARE THE FUNDAMENTAL BELIEFS UPON WHICH OUR ORGANIZATION AND ITS BEHAVIORS ARE BASED. THESE VALUES INCLUDE:

Transparency

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



MNCO STAFF



JILL FITCHEARD
EXECUTIVE DIRECTOR



CHRIS CLAUSI
ASSISTANT DIRECTOR



DANIEL YOON
LEGAL ADVISOR



VERNON JOHNSON
INVESTIGATOR



APRIL WILLIAMS
INVESTIGATOR



AMY SIMMONS
INVESTIGATOR



PETER VIELEHR
LEAD RESEARCH ANALYST



GAVIN CROWELL-WILLIAMSON
RESEARCH ANALYST

MULTIPLE MNCO STAFF HIRED



Metro Nashville Community Oversight hired multiple staff members over the course of 2021.

Daniel Yoon is the new Legal Resource Advisor for Metro Nashville Community Oversight. They are a graduate of Princeton University in New Jersey (2006) and Hofstra School of Law in New York (2009). Daniel is admitted to practice in the State of Tennessee and United States District Court for the Middle District of Tennessee. They served as an attorney at the Nashville Defenders and in private practice representing individuals in state and federal criminal proceedings, immigration, and civil rights areas of law. Daniel is a non-binary Korean American, born in Incheon, South Korea and grew up in Hopkinsville, Kentucky.

Amy Simmons is a new Investigator with Metro Nashville Community Oversight. She is from Mississippi, but Nashville has been her home since 2006. She received her Bachelor of Arts degree in Criminal Justice from the University of Southern Mississippi, and a Master of Science degree in Administration of Justice from the University of Phoenix. After moving to Nashville, Amy worked with the State of Tennessee Board of Probation & Parole as a Pre-Sentence Investigator. Amy has also worked with the Metropolitan Nashville Police Department as a Police Officer Coordinator and with the U.S. Department of Homeland Security. Prior to joining MNCO, Amy worked with the State of Tennessee's Department of Intellectual and Developmental Disabilities as an Investigator.

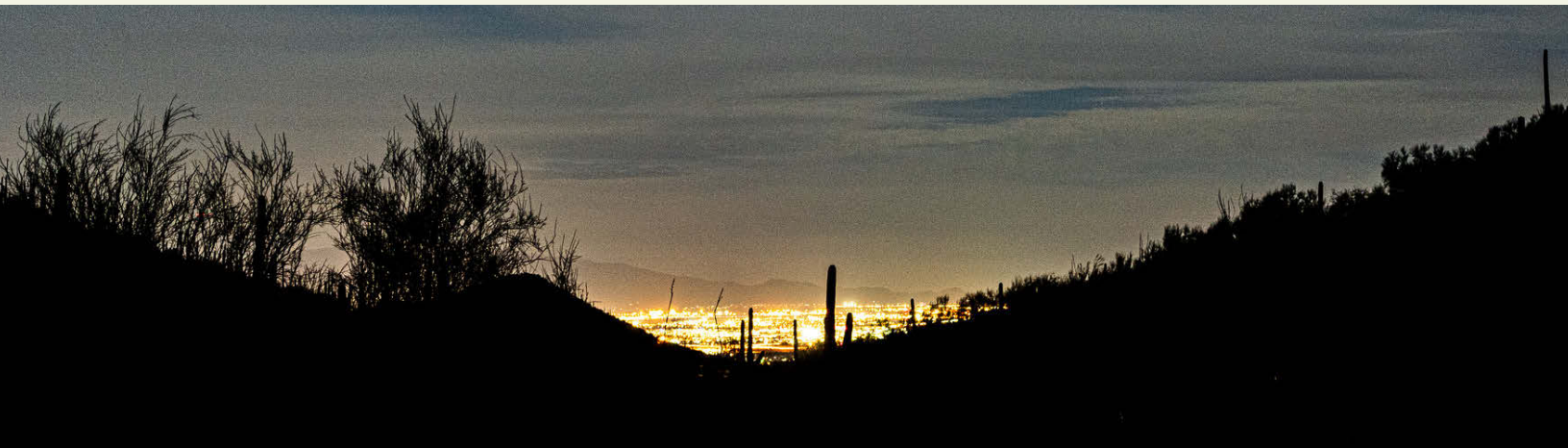
Gavin Crowell-Williamson is a new Research Analyst with Metro Nashville Community Oversight. Prior to his current role, he worked for Metro Nashville's Office of Arts and Culture, where he was a research and evaluation coordinator. He received his Master of Education in Community Development and Action from Vanderbilt University in May of 2021. His thesis investigated the 'Restorative Arts' programming occurring in the Davidson County Juvenile Detention Center. He received his Bachelor of Arts degree in Psychology from Knox College in 2016, after which he worked at the University of Washington, studying the prevention of addiction-related suicide. Originally from Chicago, Gavin has great pride in his hometown.

TRAINING AND PROFESSIONAL DEVELOPMENT



Although COVID-19 once again made in-person events difficult during 2021, one or more MNCO staff were able to attend the following trainings and professional development opportunities:

- National Association for Civilian Oversight of Law Enforcement (NACOLE) 2021 Conference
 - Virtual Conference of 32 webinars
 - In-person conference in Tucson, AZ, from December 12th-16th
- MNPD's Citizen Police Academy
- Criminology Consortium
- Trainings from the Council on Criminal Justice
- Trainings from the Center for Policing Equity
- Trainings from the Justice Collaboratory
- Trainings from Metro Human Resources
- Bias and Equity Trainings
- National Society of Human Resource Management Conference
- Neighbor 2 Neighbor's C4N Nashville conference
- 2021 Law and Social Change Jam



2021 CHALLENGES AND SUCCESSES

Success: Roll Call Trainings and Policy Changes

The COB's Proposed Resolution Reports and Policy Advisory Reports have led MNPD to institute multiple roll call trainings and updates to the MNPD manual.

In response to the COB's expedited Policy Advisory Report, 'COB Recommendation to Require Reporting of Soft-Empty Hand Control', MNPD issued a Roll Call Training titled 'Changes to MNPD Use of Force Policy, Use of Force Forms, and Introduction to Form 108NC, Non-Compliant Suspect/Arrestee Report'. The training outlines changes to MNPD Manual §11.10, the Use of Force policy. These changes most notably include a new form, Form 108NC, which is to be filed when soft empty-hand control techniques are used on subjects who are non-compliant and who actively resist detention or custody. Previously these sorts of incidents would have gone un-recorded by MNPD unless there was allegation of injury.

Roll Call Training		
<small>MNPD FORM 101 Rev. Feb. 2020</small>		
SUBJECT: Changes to MNPD Use of Force Policy, Use of Force Forms, and Introduction to Form 108NC, Non-Compliant Suspect/Arrestee Report	REVISED: MNPD Manual 11.10	RESCINDS: N/A

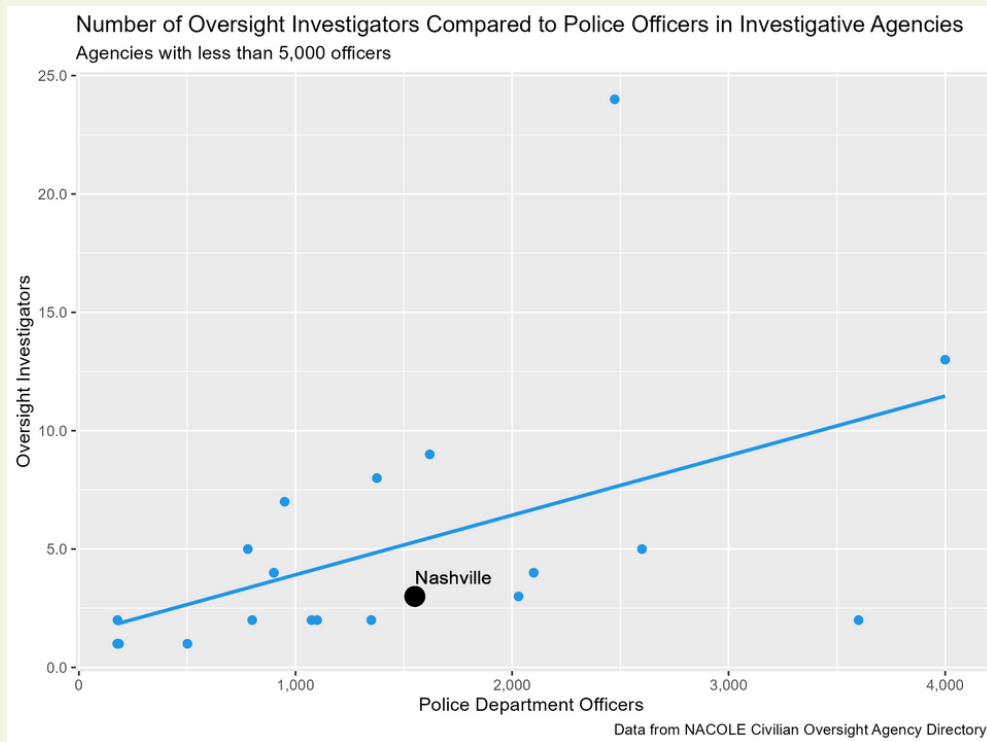
Following the issuance of Proposed Resolution Report CC2019-026, which outlined a complaint regarding harassment and unlawful search, MNPD issued a Roll Call Training on Consent Searches. The training outlines the revision of §5.20.020 of the MNPD manual, Searches by Consent.

In response to reports both by the COB and Mayor Cooper's Policing Policy Commission, MNPD has revised their use of force policies. The department has incorporated the following recommendations into their revised use of force policy: banning choke holds and strangle holds; increasing consistency between use of force policy and training; specialized training for supervisors responsible for investigating use of force incidents; creating a crisis intervention team of specially trained officers for response to mental health crises; and creating a publicly available use of force dashboard.

2021 CHALLENGES AND SUCCESSES

Challenge: MNCO Remains Understaffed

With only three investigators and more than 1,500 police officers, MNCO falls below the national staffing averages for other oversight agencies across the country. As the below graph makes clear, to keep in line with national averages (represented by the trend line in blue), MNCO will need more funding to hire additional investigators.



MNCO has also been without a Community Liaison since the summer of 2021, an Executive Assistant since the fall of 2021, and has only recently filled staffing vacancies for the Legal Advisor and Research Analyst positions.

Success: MNCO Handles Increased Case Load

MNCO received 37 complaints during 2020, as compared to 75 complaints in 2021. There are many potential explanations for this increase in complaints, one of which is increased knowledge of as well as trust in MNCO's services.

Metro Nashville spent a significant portion of both 2020 and 2021 under a hiring freeze, which stalled the hiring of an additional investigator. MNCO's newest investigator, ultimately hired in July 2021, has helped clear out the backlog of cases that piled up; investigation of all 2020 cases has concluded, barring any additional requests from the Board. Stability and a potential staffing increase at the position will prevent such a backlog from re-occurring in the future.

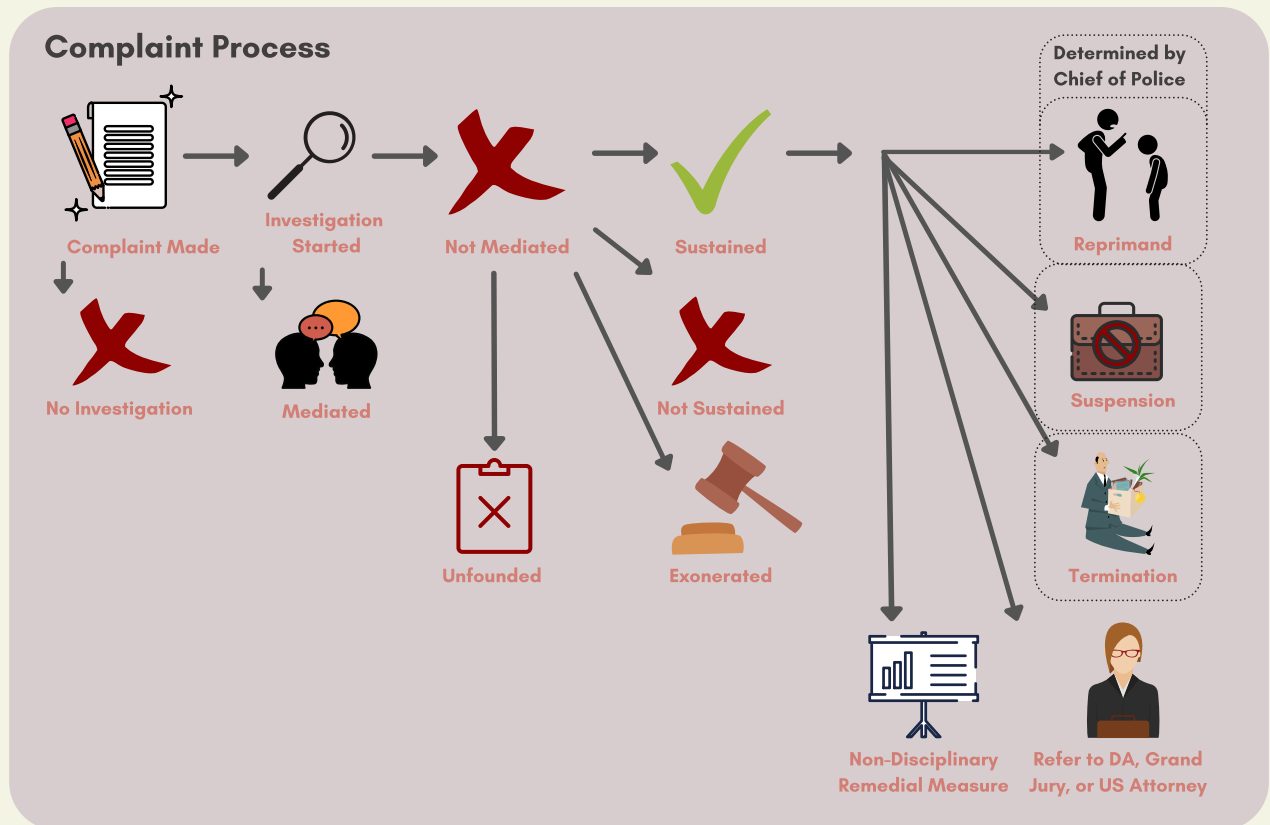


All allegations of MNPD misconduct are evaluated by investigators during an intake process. If a complaint does not fall under the jurisdiction of MNCO (e.g. it occurred by a police department other than MNPD or occurred prior to April 1, 2019), the investigation is not pursued and, if applicable, referred to the appropriate agency. 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 also consent to mediate the complaint. For cases that are not mediated, investigators report the evidence to the executive director who then determines whether the evidence shows whether the officer engaged in the alleged misconduct and whether the conduct was against policy.

The COB receives a proposed resolution report (PRR) and determines whether to accept the recommendation from the executive director. The COB forwards the resolution report and Board disposition to the chief of police who reviews the report and ultimately agrees or disagrees with the findings. If warranted, discipline is administered by the chief of police.

The below diagram shows the process of a complaint:



MEDIATION PROGRAM

The Board's mediation program was developed by reviewing current police mediation programs from across the United States. 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.

Following each mediation session, participants are asked to complete an evaluation form to inform MNCO of the successes and failures associated with the program so that it may be improved.

The Community Oversight Mediation Program mediated two cases in 2021. These cases are outlined on the next page.



MEDIATION PROGRAM

CC2021-008

Allegations: Conduct Unbecoming

Case Summary: Complainant submitted an online complaint regarding an incident that took place on March 4th, 2021 around 5:30 PM. The complainant called the police to conduct a welfare check on a man she saw cursing and running into traffic. Despite a reported lack of aggressiveness from the man, the complainant alleges seeing officers slam the man against their patrol car, aggressively handcuff him, and throw him into the patrol car face down. When the complainant confronted one of the officers, she perceived him to be rude and hostile.

Outcome: The investigator for the case interviewed the complainant multiple times, reviewed video of the incident, and ultimately determined that mediation would be a suitable outcome to the investigation. Following approval from ED Fitchard, the case was referred to the Nashville Conflict Resolution Center for mediation. Mediation was completed by the complainant, officer, and two mediators on 12/1/21. The outcome paperwork states that “The parties have settled their dispute and agree that each one has been heard and they have mediated in good faith.”



CC2021-035

Allegations: Discrimination; Conduct Unbecoming

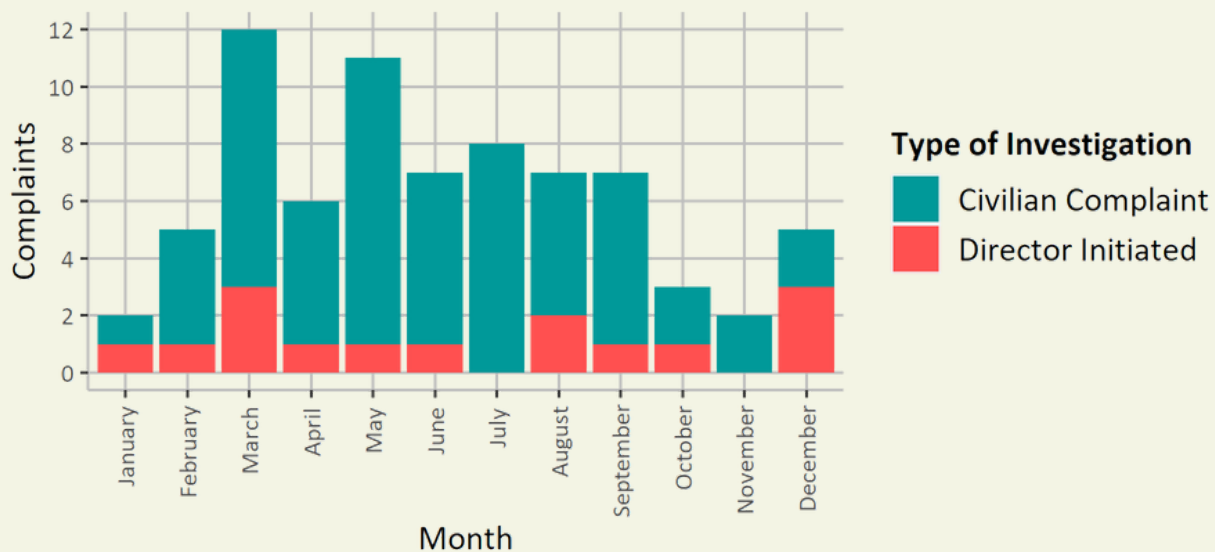
Case Summary: On June 29th, 2021, complainant submitted an online complaint regarding an incident involving his son. Complainant reports that his son was involved in a vehicle crash while using a driver education program. While his son had a valid learner’s permit, the driving instructor had a suspended license. Only the complainant’s son was arrested, which the complainant believes was in part due to his son’s race and religion. He alleges he was not informed by the police that his son, a minor, was being arrested, and then had to wait multiple hours at the precinct while his son was being processed.

Outcome: The investigators for the case spoke with the complainant multiple times and ultimately determined that mediation would be a suitable outcome to the investigation. Following approval from ED Fitchard, the case was referred to the Nashville Conflict Resolution Center for mediation. Mediation was completed by the complainant, officer, and two mediators on 8/30/21. The outcome paperwork states that “Participants agreed that they have been provided some clarity and the mediation has successfully been completed.”

NUMBER AND NATURE OF MISCONDUCT ALLEGATIONS AND REVIEWS CONDUCTED

MNCO began taking complaints on April 1st, 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. MNCO conducts investigations on two types of cases: civilian complaints of police misconduct and director-initiated reviews. Civilian complaints typically involve a community member making an allegation of misconduct while director-initiated reviews usually are related to instances where an individual is killed or critically injured during or after a police encounter.

Total Complaints Made by Month in 2021

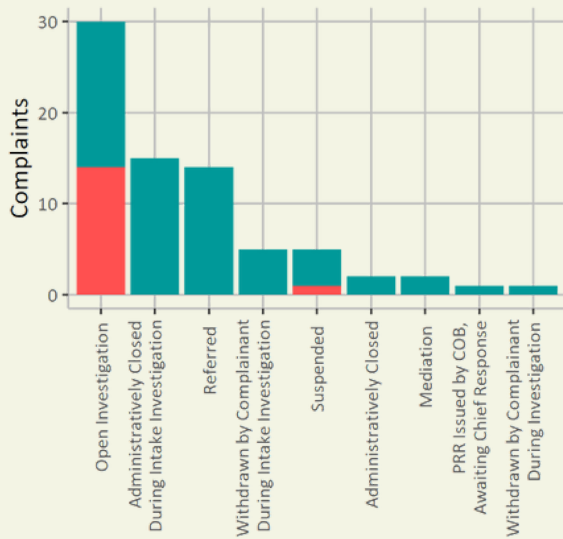


A total of 60 civilian complaints were received by MNCO in 2021. Of these, 26 investigations were initiated on the complaints (43% of all civilian complaints). The 34 complaints where no investigation was conducted included 14 that were referred to another agency (e.g. MNP, another police jurisdiction, Fire Department, Emergency Communications, Hub Nashville) after discussing investigation options with the complainant, 15 that were administratively closed due to the complainant not responding after the initial complaint or the complainant not having an allegation of MNP misconduct, and five that were withdrawn by the complainant prior to being assigned to an investigator because they decided not to move forward with the complaint.

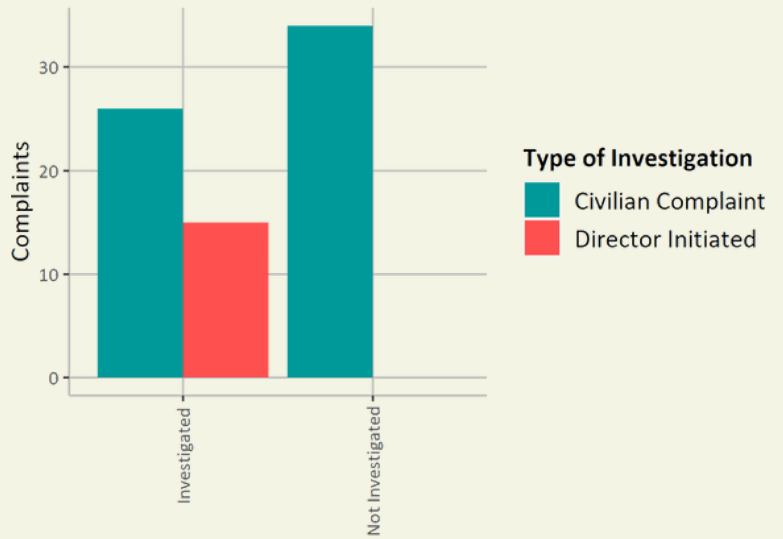
The executive director initiated 15 reviews during 2021.

NUMBER AND NATURE OF MISCONDUCT ALLEGATIONS AND REVIEWS CONDUCTED

Status of Complaints Made in 2021 as of January 1, 2022



Whether an Investigation was Initiated on Matters Reported to MNCO in 2021 as of January 1, 2022



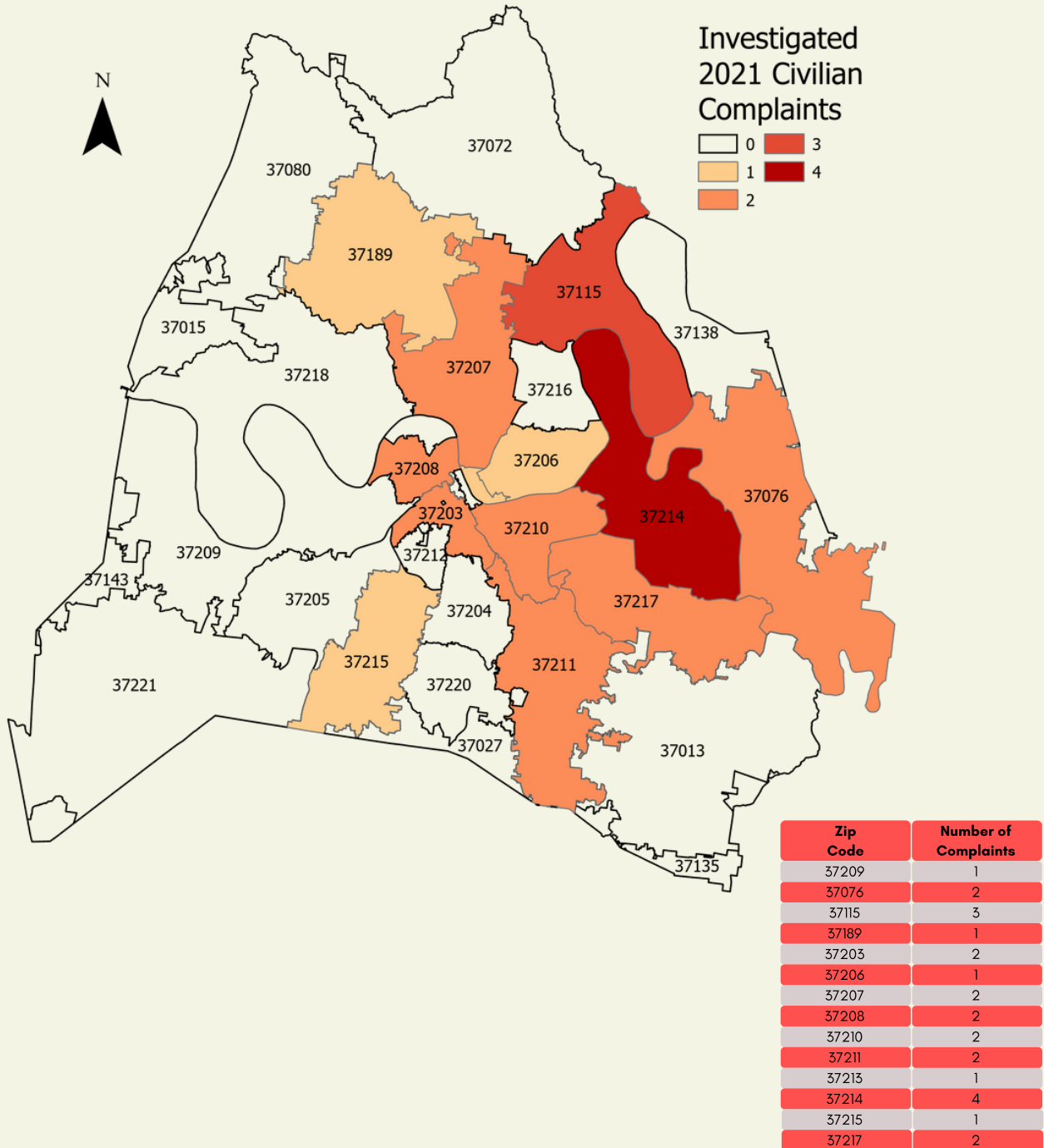
Status of All 2021 Civilian Complaints and Director Initiated Reviews as of January 1, 2022*

	Civilian Complaints	Director-Initiated
Total Complaints or Reviews	60	15
Investigation Conducted		
Open Investigation	16 (27%)	14 (93%)
Withdrawn by Complainant after Investigation Started	1 (2%)	
Suspended due to Criminal Investigation	4 (7%)	1 (7%)
Administratively Closed d/t Lack of Contact with Complainant	2 (3%)	
Successfully Mediated	2 (3%)	
Resolution Report Issued	1 (2%)	
No Investigation Conducted		
Administratively Closed During Intake Investigation	15 (25%)	
Referred to Other Agency	14 (23%)	
Withdrawn by Complainant Prior to Investigation	5 (8%)	

* Percentages may not sum to 100 due to rounding

NUMBER AND NATURE OF MISCONDUCT ALLEGATIONS AND REVIEWS CONDUCTED

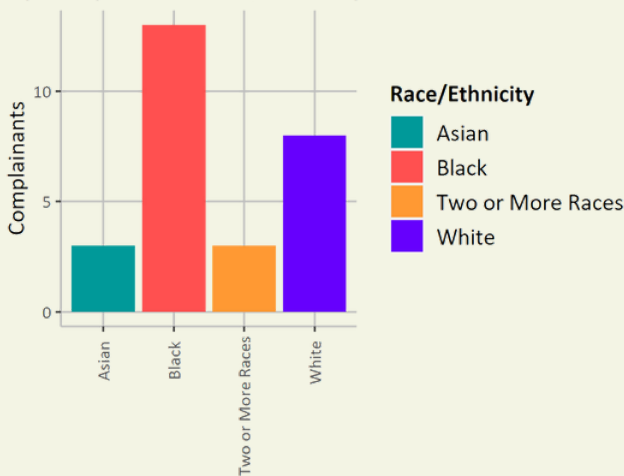
2021 Investigated Civilian Complaints by Zip Code



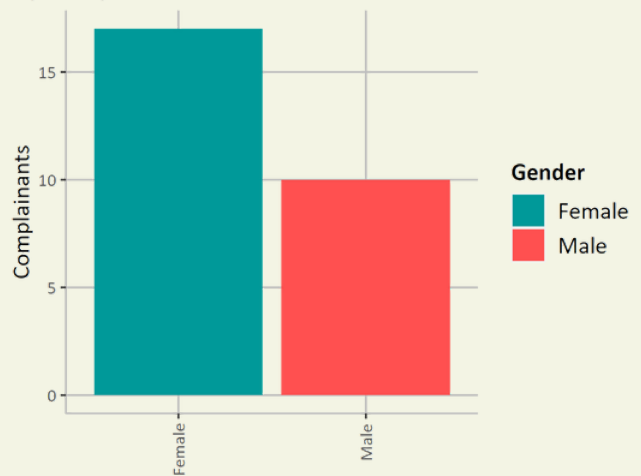
CIVILIAN COMPLAINT DEMOGRAPHICS, ALLEGATIONS, & OUTCOMES

MNCO tracks demographic information about complainants to better understand the population of residents served. In the 26 complaints where MNCO initiated investigations, there were 27 complainants. Thirteen (48%) of the complainants were Black or African American, eight (30%) were White, three (11%) were two or more races, and three (11%) were Asian. A total of 10 complainants (37%) were men and 17 (63%) were women.

Civilian Complaints Investigated by MNCO in 2021 by Complainant Race/Ethnicity

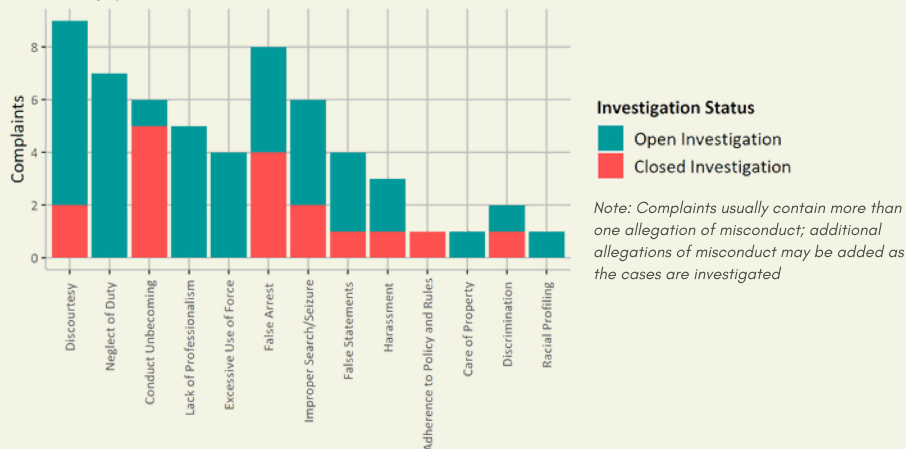


Civilian Complaints Investigated by MNCO in 2021 by Complainant Gender



Each complaint made to MNCO is categorized by the allegations of misconduct made by the complainant. Most complaints have more than one allegation of misconduct and allegations are unique for each involved officer. The most common allegation was discourtesy, followed by false arrest, and neglect of duty. MNCO also received allegations related to improper search and seizure, conduct unbecoming, lack of professionalism, excessive use of force, false statements, discrimination, and harassment.

Allegations of Misconduct in Civilian Complaints Investigated by MNCO in 2021 by Status of Complaints as of January 1, 2022

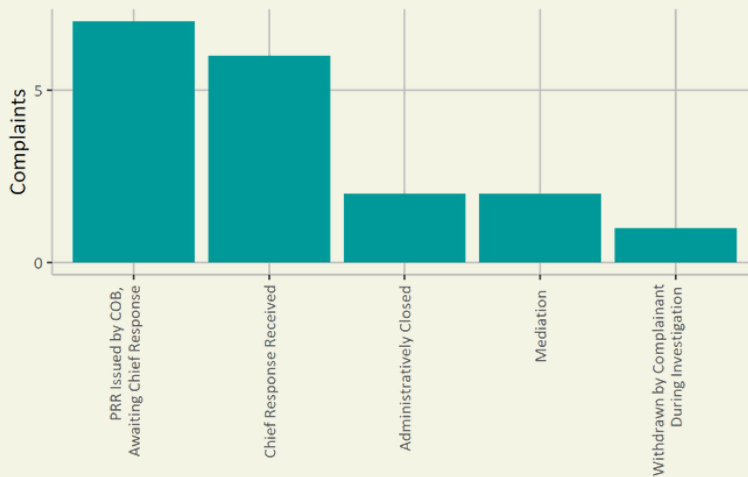


OUTCOMES OF CIVILIAN COMPLAINT INVESTIGATIONS

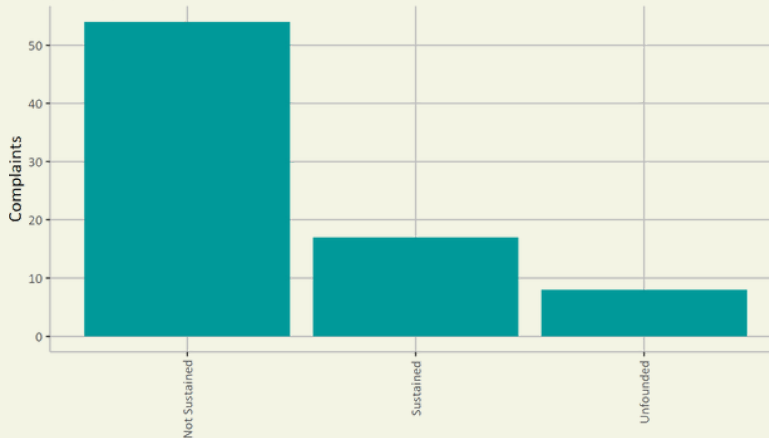
Investigations are closed for several reasons. The most common is when a Resolution Report is issued by the COB and the Chief of Police returns a response. Investigations can be closed without preparing a Proposed Resolution Report if the complaint is successfully mediated, the complainant wishes to withdraw the complaint, or the investigation is administratively closed due to lack of cooperation or contact from the complainant.

When a Proposed Resolution Report is prepared, the evidence collected is carefully evaluated to determine whether each allegation from the complaint is supported. Additional misconduct may be found during the investigation. Since MNCO conducts administrative investigations, the evidence must meet a preponderance of the evidence standard.

Outcomes of Investigated Civilian Complaints Made in 2021 as of January 1, 2022



Findings of Misconduct Allegations in Non-Audit Civilian Complaints Issued in 2021 as of January 1, 2022



Note: Complaints usually contain more than one allegation of misconduct and more than one officer with allegations of misconduct

The following outcomes are used by MNCO as investigative findings on each allegation of misconduct:

Sustained: The factual findings support the allegations in the complaint by the preponderance of the evidence, in which conduct was inconsistent with MNPDP policy.

Not Sustained: The factual findings do not support the allegations in the complaint by the preponderance of the evidence.

Policy Exoneration: The factual allegations in the complaint do not violate the law or MNPDP policy; or, although the factual findings support the allegations in the complaint, the conduct proved by the preponderance of the evidence was lawful and consistent with MNPDP policy.

Unfounded: The allegations in the complaint were proven false by the preponderance of the of the evidence.

A Total of 79 Allegations of Misconduct were Adjudicated in the 11 Non-Audit Resolution Reports issued in 2021	
Outcome	Total (%)
Sustained	17 (22%)
Not Sustained	54 (68%)
Policy Exoneration	0 (0%)
Unfounded	8 (10%)

After the finding is determined by the executive director, the COB is presented a Proposed Resolution Report (PRR). When the COB approves the PRR, it becomes a Resolution Report. The COB issued 13 Resolution Reports in 2021. Two Resolution Reports were audits of investigations completed by MNPDP. Both audits found one or more deficiencies. On average, the number of days from a civilian making a complaint to a Resolution Report being issued by the COB was 485 days.

Each of the Resolution Reports are summarized in an appendix at the end of this report.

Proposed and final Resolution Reports are available to the public at:

nashville.gov/Community-Oversight/Proposed-Resolution-Reports



Research and Policy

ANALYSIS AND EVALUATION STANDARDS

The COB and MNCO aim to evaluate policies and procedures using rigorous standards and values that center the needs of the people of Nashville. MNCO researchers developed a conceptual model to highlight the values that MNCO and the COB use to evaluate recommendations. The core concept of “community” is surrounded by five interconnected pillars:

Community – The Nashville community is central to all the work of the COB and MNCO. The Nashville community is diverse and complex. We strive to maximize input from community and to ensure that community input shapes policies in Nashville.

Accountability – Government entities should be accountable to the people they serve. Accountability includes both what practices are done and how well those practices are performed. At the agency-level, strategies and programs should be evaluated by community members and their input should shape strategic decisions. Agency outcomes that are within their control (i.e. outcomes that are influenced by departmental policies, procedures, and training) should be used as benchmarks for measuring performance. At the individual-level, employees’ conduct with respect to lawful, respectful, and equal treatment of community members is foundational to accountability.

Transparency – The community is entitled to clear, comprehensive, and timely information about what their government does, as well as how, where, and with whom it is conducted. There must be a culture of proactive transparency at all levels of government agencies to the fullest extent permitted by law.

Justice – Justice is a multifaceted concept that emphasizes human rights, fairness, minimization of harm, and healing when harm occurs. To evaluate policies and procedures we draw on perspectives of social justice, racial justice, economic justice, environmental justice, distributive justice, restorative justice, and procedural justice.

Equity – The COB and MNCO bring an equity lens to their work, meaning that there is a focus on identifying social inequality, investigating the root causes of inequalities, and working to eliminate disparities in the future.

Evidence – Evidence should be the cornerstone for making decisions in the public interest. All reports issued by the COB use the best available evidence and rigorous analysis to make claims. Evidence comes from published research, original analysis of data from relevant sources, and lived experiences of impacted people. COB recommendations will encourage robust data collection and research to improve outcomes.

Together, these principles are used to evaluate policies and procedures and develop recommendations.



2021 POLICY RECOMMENDATIONS

COB Recommendation to Require Reporting of Soft Empty-Hand Control (Issued by the COB on October 27, 2021)

1. All uses of soft empty-hand control techniques used to overcome resistance should be immediately reported to an officer's supervisor and require a written report that is tracked by MNPD. Tracking of all uses of soft empty-hand control techniques used to overcome resistance should begin as soon as possible but no later than January 1, 2022.

MNPD Response: On December 6, 2021, Chief Drake formally accepted the recommendation. Effective January 1, 2022, MNPD began reporting the use of Soft Empty-Hand Control techniques when applied to subjects who are non-compliant and who actively resist being detained or taken into custody, provided there is no injury or allegation of injury. This is done via Form 108NC, a Non-Compliant Suspect/Arrestee Report.

2. Officers using soft empty-hand control techniques to overcome resistance without an allegation of injury should be required to complete a Form 108-S, a form that would be created by MNPD to collect information about soft empty-hand control when the force does not rise to the current Form 108 reporting level. Additionally, MNPD Manual §11.10.200(G)11 should be amended to require quarterly and annual use of force reports posted to the MNPD website, sent to Metro Council, and sent to the Executive Director of the COB that include the number of use of force incidents where soft empty-hand control is the highest force used and there is no allegation of injury and disaggregated data as detailed in this report.

MNPD Response: On December 6, 2021, Chief Drake formally accepted the recommendation. Effective January 1, 2022, MNPD began reporting the use of Soft Empty-Hand Control techniques via Form 108NC, a Non-Compliant Suspect/Arrestee Report.

2021 POLICY RECOMMENDATIONS

Policy Advisory Report on Metro Nashville Police Department Hiring Procedures

(Issued by the COB on May 26, 2021)

1. The Personal History Statement should include law-enforcement specific questions for applicants who have been law enforcement officials in another jurisdiction. This should include questions about unnecessary use of force, bias-based policing, and any disciplinary actions.

MNPD Response: Recommendation accepted, but as of January 2022 the Personal History Statement available online has not added questions related to previous law enforcement-specific experience.

2. Question #99 of the Personal History Statement asking whether applicants have a prejudice that will impact their job performance should be changed to a series of questions focused on discriminatory attitudes and behaviors and a short answer question regarding the applicant's understanding of implicit bias.

MNPD Response: Recommendation accepted, but as of January 2022 question #99 has not been modified and a short answer question has not been added.

3. MNPD should evaluate reasons for Civil Service Testing no-shows through surveys and interviews with individuals who did not show up to testing. When impediments are identified, changes to the process should be considered and, if made, an evaluation plan should be in place to assess whether the change was effective. MNPD should aim to have at least 50% of invited applicants take the Civil Service Tests.

MNPD Response: Recommendation accepted.

4. MNPD should publicly release their planned evaluation report focusing on whether changing the physical agility section of the Civil Service Test reduces gender and racial disparities in attending and passing the test.

MNPD Response: Recommendation accepted. MNPD provided a data summary to the COB. The COB is looking forward to reviewing whether this change is increasing diversity in police recruitment.

2021 POLICY RECOMMENDATIONS

Policy Advisory Report on Metro Nashville Police Department Hiring Procedures (ctd.)

5. MNPDP should work to increase the racial, ethnic, gender, age, and language diversity of the Recruitment Section's background investigators to align with the population of Nashville more closely and make progress toward diversification by the end of 2021.

MNPDP Response: Recommendation accepted. MNPDP provided a data summary to the COB. The COB will monitor to follow whether diversification is occurring.

6. MNPDP should review, at least annually, the demographics of applicants that have been assigned to background investigators and the number of disqualifications resulting from each investigator to identify potential biases. One investigator having higher disqualification rates for a specific demographic group than other investigators does not necessarily indicate bias, but it suggests that an in-depth audit is needed.

MNPDP Response: Recommendation accepted. The analysis has not yet been shared with the COB.

7. The Recruitment Section's SOPs should address the timing of the social media review in the hiring process and the procedures used by MNPDP personnel for reviewing social media content. This should include a standard solicitation process regarding applicant social media information. Applicants who refuse to supply access to social media accounts should be disqualified from the hiring process.

MNPDP Response: Recommendation partially accepted. The response from MNPDP was unclear which part would be implemented and recommendations were not added to revised SOPs. "Overt and obvious" bias in social media is now listed as disqualifying.

8. SOPs should require that if an applicant is the subject of a criminal investigation after review by the DCOP Panel—regardless of the investigation's outcome—the DCOP Panel must review the incident in the context of the applicant's full background investigation and re-vote on the applicant's qualification status.

MNPDP Response: Recommendation accepted. SOPs have not yet incorporated this recommendation.

2021 POLICY RECOMMENDATIONS

Policy Advisory Report on Metro Nashville Police Department Hiring Procedures (cont.)

9. MNPDP should add the Executive Director of the COB or their designee as a voting member to the DCOP Panel.

MNPDP Response: Recommendation partially accepted, but the Executive Director of the COB is not currently a voting member of the DCOP Panel.

10. The Recruitment Section's SOPs should address conflicts of interest of the Deputy Chiefs of Police Panel and direct panelists to recuse themselves from deliberating or voting on an applicant's qualification when they have a personal or business relationship with the applicant.

MNPDP Response: Recommendation accepted. As of January 2022, the change has not been added to the Background and Recruitment SOP.

11. MNPDP should evaluate the pre-academy employment program to determine whether it improves training academy outcomes and early employment outcomes compared to those who did not participate in the program and release a public report on the program.

MNPDP Response: Recommendation accepted, but MNPDP provided only a data summary to the COB. Hopefully, as more recruits use the program, a report will be forthcoming.

Additional Reports Issued in 2021:

- COB 2020 Annual Report
- Evaluation of MNPDP's Use of Force Policy Revision for Consistency with Policy Recommendations
- Comparison of License Plate Reader Policies

Future Policy Advisory Reports

As 2022 progresses, the MNCO research team will continue to look to the Board and the local community for input on criminal justice system issues to be addressed in future policy advisory reports. If you would like to make a suggestion to the MNCO research team, you can email your ideas to community@nashville.gov.

*All reports are at: nashville.gov/departments/community-oversight/policy-advisory-reports



Community Engagement



2021 proved to be yet another challenging year for engaging with the Nashville community. While COVID vaccines became widely available and new COVID cases declined over the summer, there has remained trepidation regarding fully returning to in-person events. In addition, MNCO's Community Liaison departed from her role with MNCO. The office is currently hiring for the position. Nonetheless, The COB and MNCO conducted 28 public events throughout the year reaching 1,900 members of the community. MNCO sought to solicit community voice at every opportunity, and remains committed to engaging with the genuine needs of the Nashville community.



- MNCO Outreach & Engagement Highlights**
1. Public Hearing on Recommendation to Require Reporting of Soft Empty-Hand Control
 2. Public Hearing on License Plate Readers
 3. MHRC's Reimagining Public Safety Town Hall
 4. 2021 Juneteenth Street Event Participation
 5. Presenting to MNPD's recruit class (session 93) and lateral class (session 94) about the history of the COB, Investigations, Mediation, and Research
 6. Attendance at multiple District community meetings
 7. Rep. John Lewis Celebration of Life Event
 8. The State of Black Nashville Townhall hosted by Black Nashville Assembly
 9. Neighbor 2 Neighbor's C4N Nashville conference



CRIMINAL JUSTICE CONCERNS RAISED BY THE COMMUNITY

Mental Health and Policing

Community Concern: Community members have expressed concern regarding many aspects of the challenging relationship between policing and mental health, including: 1) that officers are often required to respond to difficult and stressful situations involving mental health crises, for which they are not adequately trained, and 2) that those who experience violence at the hands of police, as well as their families, experience real trauma that is often unaddressed.

MNCO Response: In a 2020 report, the COB recommended that MNPDP create a crisis intervention team of specially trained officers for response to mental health crises. Since then, the COB has been working with MNPDP as they launch their Partners in Care program, which pairs mental health clinicians with MNPDP officers as a form of mental health crisis intervention. The COB has been added to the stakeholders list for Partners in Care, and as data continues to come in from the program, the COB intends to monitor and oversee the program much as it does the rest of the department. Additionally, the COB has been exploring options such as expanding its budget within Metro or seeking external grant funding to support a counselor or social worker on staff, who could provide services to complainants. This is important because, regardless of whether the complainant encountered an officer acting within or outside of department policy, their experience may well have traumatized them.



Image courtesy of: <https://bit.ly/3qkTGXv>

Overreach of Surveillance Technology

Community Concern: As a pair of bills regulating the usage of License Plate Readers (LPRs) made their way through Council, community members voiced their opposition regarding the potential overreach of such technology. There is little consensus about LPRs in the community and the risks that surveillance technologies pose to privacy are too great for many. Many felt these risks would be particularly felt by Black community members and other people of color in Nashville.

MNCO Response: MNCO solicited the input of community members, Councilmembers, civil rights advocates, and technology experts, all of whom have informed the COB about the potential uses of LPRs and the privacy concerns they carry. These conversations led the Board to vote in opposition to the use of LPRs in Nashville, and to release a position statement elaborating on its position.

CRIMINAL JUSTICE CONCERNS RAISED BY THE COMMUNITY

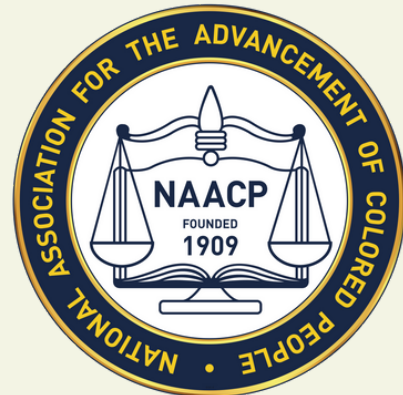
Use of Force

Community Concern: Nashville just ended the calendar year in which officers used firearms at record rates: the ten shootings by MNPDP officers in 2021 are the most on record since the department began to track such events in 2005. Community members from all perspectives have struggled to reconcile this startling statistic, which runs in parallel with the high number of homicides overall in Nashville.

MNCO Response: In a policy advisory report from October 2020, the COB recommended that MNPDP track and analyze use of force data and create an annual use of force report that is available to the public. Now, as we enter in to 2022, the COB will soon release its own Annual Use of Force Report, covering all of 2021. It will contain analyses of use of force trends of MNPDP and will closely examine each incident in which officers used firearms.



Image courtesy of Alex Kent, Tennessee Lookout

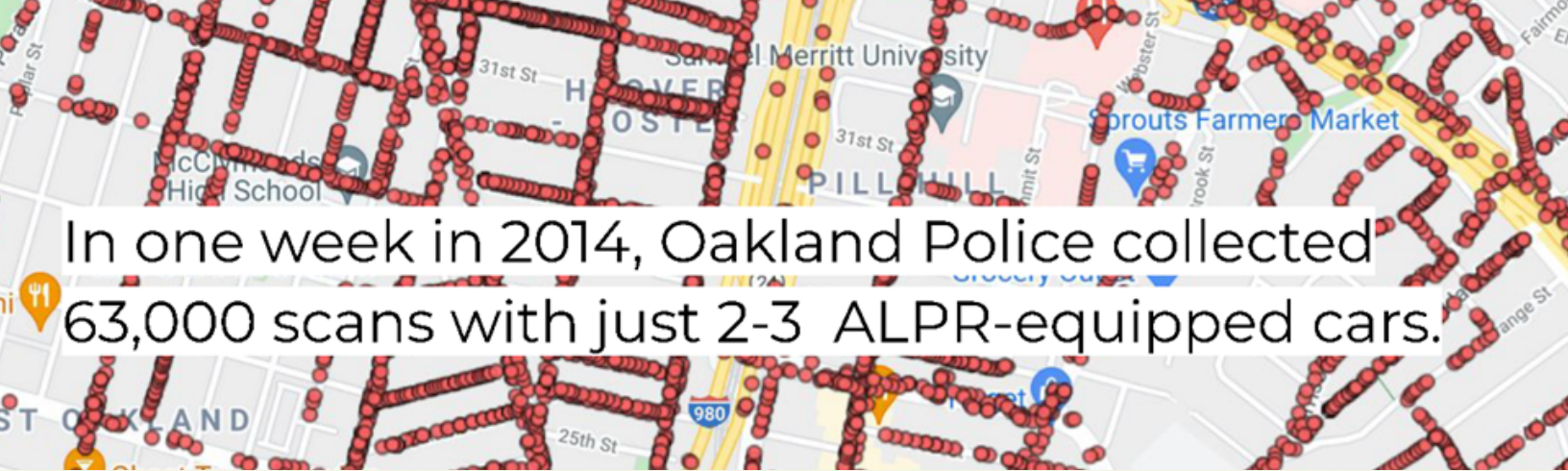


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MNPDP Hiring Practices

Community Concern: In October of 2018, Nathan Glass, then a security guard, shot and killed Deangelo Knox as he ran past Mr. Glass' place of work. Mr. Glass held that he believed the patrons of the restaurant he worked at were in danger, despite video evidence suggesting Mr. Knox was running away from him. Mr. Glass' Instagram account also contained images and hashtags, posted prior to MNPDP employment, that suggested support for militia movements and can be interpreted as indicating racial bias. Mr. Glass received an offer to attend MNPDP's Police Academy, which was suspended while the shooting was investigated. One month after the DA decided he had acted in self-defense, Mr. Glass received an employment offer from MNPDP. This troubled the NAACP and community members throughout Nashville.

MNCO Response: Motivated by concern following MNPDP's hiring of Mr. Glass, the Nashville branch of the NAACP asked the COB to conduct a review of MNPDP's applicant background investigations. MNCO did as such, releasing a policy advisory report on May 26, 2021. The report contained 11 recommendations for MNPDP, and centered around two major questions: 1) What are the criteria for background checks and how are they conducted in the recruitment process? Specifically, as it relates to past incidents of violence or use of force what are disqualifiers for employment eligibility? 2) What are the processes for investigating potential biases of recruits prior to employment by MNPDP?



In one week in 2014, Oakland Police collected 63,000 scans with just 2-3 ALPR-equipped cars.

Image courtesy of the Electronic Frontier Foundation

AUTOMATED LICENSE PLATE READERS

Automated License Plate Readers (LPRs) were a hot topic in Nashville in 2021. The COB began discussing them in late 2020. The COB raised concerns about the lack of community input regarding LPRs, the funding sources, and data storage. Director Fitchard and Chair Martinez attended multiple Public Safety Committee Community Meetings regarding LPRs in early 2021. The Board had several guest speakers from Council, including Councilmembers Styles (who authored BL2020-494, a bill intended to use LPRs to curb drag racing), Hall, Rosenberg (who authored BL2021-841, a bill intended to regulate LPR usage), and Johnston (who authored BL2021-961, another bill aimed at regulating LPR usage).

Chair Martinez wrote a letter to Council in April of 2021, which read, in part: *"While LPRs are an intuitively appealing idea, the costs may outweigh the benefits and they do not create the neighborhood environments that promote public safety. Debating increased surveillance has taken the place of essential conversations about how the Metro Council can support communities in creating public safety through alternatives to the criminal justice system. Mayor Cooper's Office, for example, has committed to investing in community groups who are using evidence-based, community informed approaches to make our neighborhoods safer. For an intervention to be community-based, the community who is most impacted must have a seat at the table. Our community's safety is our top priority and community safety concerns should be taken seriously. As the country reimagines the role of policing, we should look to create community-based solutions for our very real public safety issues, and not opt for increasing surveillance."*

The COB also hosted a number of subject matter experts to present on LPRs, including Brian Hofer (Chair of the Oakland Privacy Advisory Commission), Dave Maass (the Director of Investigations at Electronic Frontier Foundation), Jack Seigenthaler (Policy Strategist at ACLU Tennessee), and Vienna Thompkins (Data Scientist and Organizer at the Black Nashville Assembly).

This all culminated in the COB voting to oppose the use of LPRs at its 12/20/21 Board Meeting. The Board argued that there is little consensus on LPR usage in the community, and that the risks of LPR usage would be disproportionately felt by people of color. The Board also provided the information it had compiled regarding the regulations of LPRs should any bill regarding their usage pass.

MENTAL HEALTH CALLS

NOAH

The Nashville Organized for Action and Hope (NOAH) Criminal Justice Working Group requested that the Community Oversight Board (COB) research: 1) the amount of calls for service that are mental health related, and 2) the procedures used by 911 call takers to divert calls to non-police crisis intervention resources. The COB hosted several guest speakers, including Dia Cirillo from the Mayor's Office, to discuss Partners in Care, MNPD's co-response pilot program for mental health calls and is continuing to work on a policy report related to mental health calls for service.



Partners in Care

PIC, which pairs mental health clinicians with officers as a form of mental health crisis intervention, launched its pilot program on June 28th. It seeks to connect those having a behavioral health crisis with healthcare and services rather than the criminal justice system. The approach is modeled after Denver's co-responder program, which pairs a behavioral health clinician with law enforcement. On November 4th, the PIC pilot presented first quarter results to its stakeholder committee. From June 28 through September, PIC responded to 524 events, of which 42% were in the North Precinct and 58% were in the Hermitage Precinct. Less than 4% of those 524 events resulted in an arrest.

MENTAL HEALTH CALLS

Mental Health and the COB

The COB regularly handles cases that have a mental health component. Two such cases are outlined here. On each case, MNCO will conduct an audit of the investigation to ensure that the incident was investigated thoroughly.

D2021-007: Subject's mother called 911 to report that he had texted pictures of a gun and of the intention to commit 'mass murder'. SWAT and mobile crisis were called to the scene, as he had schizophrenia. Officers engaged in negotiation, which continued after subject discharged firearm. Officers threw a flash grenade and released a K9, but officers report that subject regained control of his weapon, which caused officers to shoot and ultimately kill him.

D2021-004: After receiving a call for a suicidal person, multiple officers approached the subject, who was carrying a bat and a pickaxe. While attempting to talk the subject down, she said she wanted the officers to shoot her. As officers approached the subject, she raised the objects and began to approach Officer 1. Officer 1 deployed a Taser, and within 2-3 seconds following its deployment, Officer 2 shot and struck her twice.



Need for Social Worker / Counselor

Regardless of whether the COB finds any evidence of officer misconduct, complainants often experience trauma from their encounter with MNP. While the TBI and DA's office have coordinators and resources for victims of crime, the resources for complainants of police misconduct are murky. It is with this in mind that the COB hopes to hire a counselor or social worker to provide support for complainants, many of whom need support.



Image courtesy of Alex Kent, Tennessee Lookout

A stylized, light-colored graphic of a city skyline with various building silhouettes, arranged in a semi-circular pattern around the central text.

2021 Officer Firearm Report

OFFICER FIREARM REPORT

2021 marked the end of calendar year in which officers used firearms at record rates: the ten shootings by MNPD officers are the most on record since the department began to track such events in 2005. This startling statistic must be considered in concert with the fact that 2020 was the third highest year for criminal homicides in the history of Nashville, and 2021 was only a modest decrease from that peak.

To provide context on these shootings, MNCO has consolidated and provided detail on each shooting.

Date and Time	Location (Appx.)*	Fatal?	Narrative	Officer Race	Subject Race, Gender
1/27/21, 3 PM (A-Detail)	2200 Brick Church Pike, Nashville, TN, 37207	No, subject was struck in head and hip	After officers initiated a vehicle block of a vehicle that was reported stolen with two robbery suspects inside, the car began to ram the adjacent police vehicles. Officers then broke the windows of the vehicle and got one subject into custody. Multiple officers then shouted commands to drop a gun, and one officer fired at the subject. A gun was recovered from the scene.	White	Black, Male
3/12/21, 9:30 AM (A-Detail)	3000 Brick Church Pike, Nashville, TN 37207	Yes	After a car was stopped due to outstanding warrants on the vehicle, Officer attempted to arrest subject after finding drugs in her bag. Subject then fled and re-entered their car. Officer used Taser on subject, who then reached for and fired a firearm at the officer. Officer returned fire and fatally struck her.	White	Black, Female
3/12/21, 4:55 PM (B-Detail)	2800 Greer Rd, Goodlettsville TN 37072	No, subject was struck in left shoulder and left chest	After receiving a call for a suicidal person, multiple officers approached the subject who was carrying a bat and a pickaxe. While attempting to talk her down, she said she wanted the officers to shoot her. As officers approached her, she raised the objects and began to approach Officer 1. Officer 1 deployed a Taser, and within 2-3 seconds following its deployment, Officer 2 shot and struck her twice.	White	White, Female

*Note that all locations are approximate to protect personal information

OFFICER FIREARM REPORT

Date and Time	Location (Appx.)*	Fatal?	Narrative	Officer Race	Subject Race, Gender
4/23/21, 11:50 PM (C-Detail)	3200 Clarksville Pike, Nashville, TN 37218	Yes	Officer pulled over a car after running plates and seeing they did not match the vehicle description. The subject then ran from the car, with two knives in hand. He then opened and briefly entered the officer's vehicle before running around the car and advancing on the officer. The officer gave multiple verbal commands before firing and striking the subject several times.	White	Black, Male
5/1/21, 7:30 PM (B-Detail)	6700 Nolensville Pike, Brentwood, TN 37027	Yes	Subject's mother called 911 to report that her son had texted pictures of a gun and of the intention to commit 'mass murder', including her. SWAT and mobile crisis were called to the scene, as he had schizophrenia. Officers engaged in negotiation, which continued after subject discharged a firearm. Officers threw a flash grenade and released a K9, but officers report subject regained control of weapon, which led officers to shoot him.	White	White, Male
8/3/21, 6 AM (C-Detail)	1500 Antioch Pike, Antioch, TN 37013	Yes	Three employees were shot at their work by another employee, who left the building as police were called. Police followed the subject on foot and shot him multiple times as he raised a pistol in the direction of the officers.	Multiple officers; Black and Hispanic	Black, Male
8/11/21, 5 AM (C-Detail)	5600 Nolensville Pike, Nashville, TN 37211	Yes	An officer approached a parked vehicle in the parking lot of a closed store. The driver had a knife in hand, which he did not drop despite repeated commands to do so. The subject opened the door and ran at an officer, at which point all three officers opened fire.	Multiple officers; all white	White, Male

**Note that all locations are approximate to protect personal information*

OFFICER FIREARM REPORT

Date and Time	Location (Appx.)*	Fatal?	Narrative	Officer Race	Subject Race, Gender
9/19/21, 7:45 PM (B-Detail)	3400 Percy Priest Drive, Nashville, TN 37214	Yes	Officers, including SWAT team, approached a hotel to retrieve subject, who was wanted for parole violation and questioning regarding a homicide. After one person exited the room, subject emerged and fired an AR-15 at officers. Multiple officers returned fire, killing him.	Multiple officers; all white	Black, Male
12/6/21, 2:30 PM (A-Detail)	1300 Dickerson Pike, Nashville, TN 37207	No, subject was struck in legs.	A School Resource Officer was on his way home from work when he stopped at the scene of a car crash. He encountered the subject there, who police said reached for a gun on the dashboard, despite commands telling him to stop. The officer then fired, striking him in the leg.	Black	Black, Male
12/16/21, 2:30 AM (C-Detail)	900 W Old Hickory Blvd, Nashville, TN 37115	Yes	After someone called the police to report an abandoned vehicle, officers heard gunshots from a wooded area nearby. This led to a lengthy stand-off, which culminated in the subject firing shots in the direction of the officers. One officer returned fire and fatally shot him.	Hispanic	Unknown, Male

**Note that all locations are approximate to protect personal information*

OFFICER FIREARM REPORT

Demographics of Officers and Subjects in Officer Shootings

Officers

Race	Sworn MNPD Officers	Officers Who Discharged Firearm
White	81%	11 Officers (73.3%)
Black	11%	2 Officers (13.3%)
Hispanic	3%	2 Officers (13.3%)

*Note that the total number of officers who fired is greater than the number of events, as multiple officers fired at several events

Subjects

Race	Victims of Police Shooting	Subjects of Force*	Overall Nashville Population**
White	3 Victims (30%)	36.8%	56.3%
Black	6 Victims (60%)	61.8%	27.4%
Unknown	1 Victim (10%)		

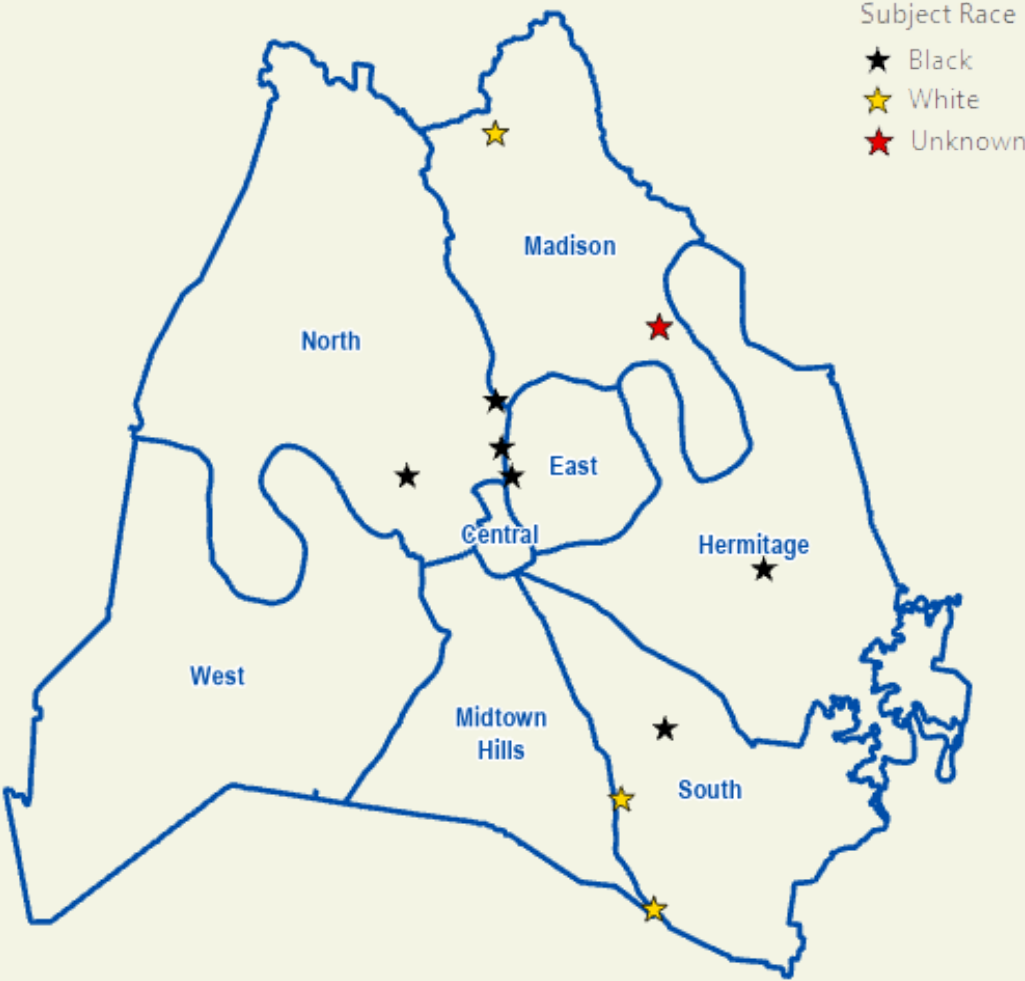
*Per MNPD's Use of Force Dashboard from 2021

**Per 2021 Census Estimates

***Note: MNPD's Use of Force Dashboard only separates race into Black, White, and Other. Thus it is impossible to determine how much of the 'Other' category is Hispanic as compared to Asian, Pacific Islander, etc.

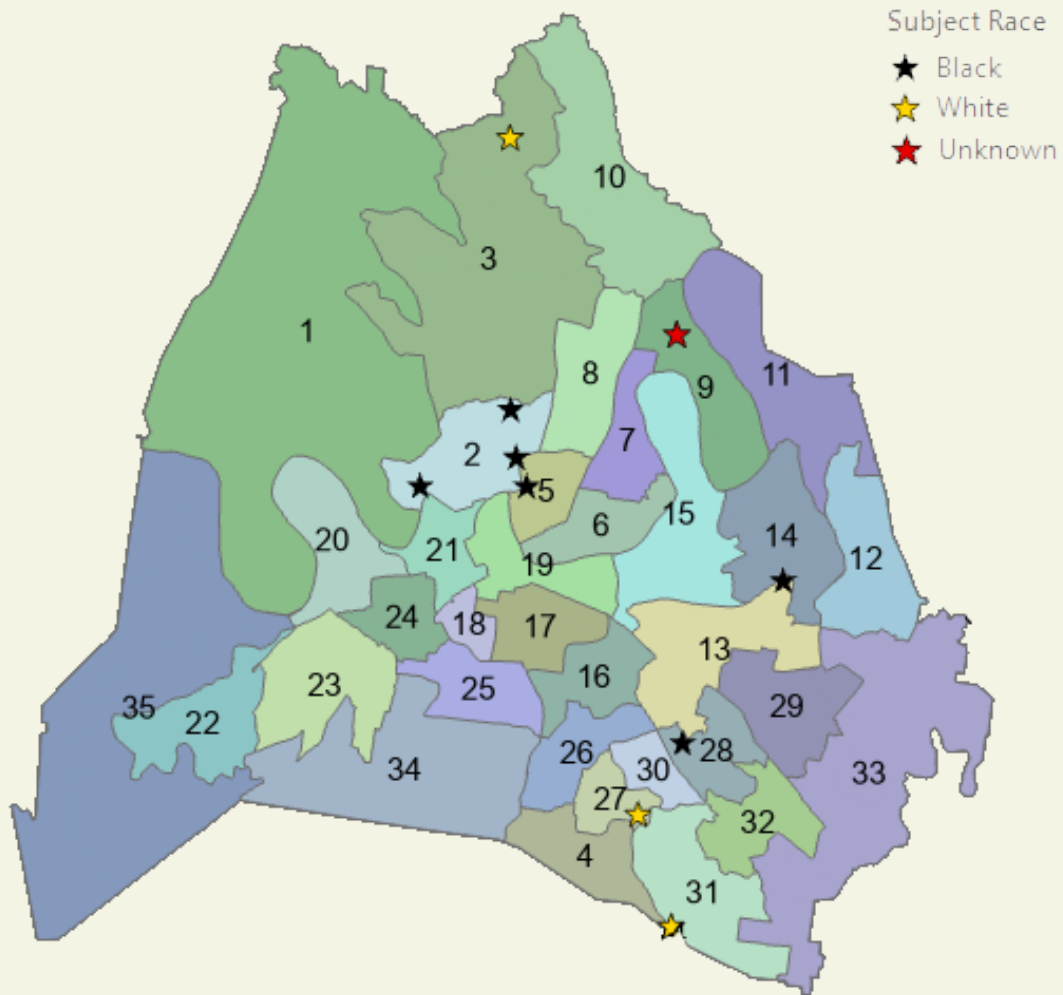
Beat	Number of 2021 Shootings
A-Detail (6:30 AM - 3 PM)	3
B-Detail (2:30 PM - 11 PM)	3
C-Detail (10:30 PM - 7 AM)	4

OFFICER FIREARM REPORT - PRECINCT



Precinct	Number of 2021 Shootings
North	3
Madison	2
East	1
Hermitage	1
South	3

OFFICER FIREARM REPORT - COUNCIL DISTRICTS



District	Council Member	Number of 2021 Shootings
2	Kyontzé Toombs	3
3	Jennifer Gamble	1
5	Sean Parker	1
9	Tonya Hancock	1
13	Russ Bradford	1
27	Robert Nash	1
28	Tanaka Vercher	1
31	John Rutherford	1

APPENDIX

Below are summaries of each of the proposed resolution reports presented to the board in 2021. For full versions of the reports, visit nashville.gov/departments/community-oversight/proposed-resolution-reports

Case Number	Allegations	Case Summary	Findings	MNPD Response
CC2019-026	Harassment; Unlawful Search	The complaint alleges that on several occasions, multiple Officers used harassment and intimidation to conduct consent searches at her residence. Even following the arrest and subsequent dismissal of her grandson's case, she states that Officers continued to arrive at her home, knock on her door, and tell her "they had to come in to search her home."	Harassment and Unlawful Search allegation are unfounded. Officer-1 is in violation of MNPD Policy 12.80 Calls for Service: Daily Reports. The COB recommended that MNPD should revise Policy Manual §5.20 with explicit language to reflect obtaining a signature during a consent search.	MNPD updated Consent Search policy and implemented a Roll Call Training on consent searches in response to this PRR.
CC2020-006	Four counts of Improper Search and Seizure	Complainant alleges Detectives came to her home and explained they were responding to an anonymous call saying she was selling drugs. Complainant says she allowed them inside, but once inside she alleges the Detectives told her she could be evicted if she didn't comply with their request to search the rest of her home. She felt intimidated to sign a search warrant. She was subsequently charged with three misdemeanor citations and had property seized.	The allegations for Improper Search & Seizure are not sustained for any detective.	Chief Drake accepted the findings as presented by the COB.
CC2020-010	Improper Search & Seizure; Vandalism; Discourtesy; and Adherence to Rules and Policy.	Complainant alleges multiple Officers conducted a search of her son's residence without his consent, vandalized his motor vehicle and lacked professionalism. After Complainant-2 was arrested by Metro Nashville Police and Hendersonville Police, Complainant-2's home was allegedly searched, and property seized without his consent. Complainant-2's keys were allegedly taken, two vehicle tires were flattened, and his truck was seized.	The allegations for Improper Search & Seizure, Vandalism, and Discourtesy against Officer-1, Officer-2, and Officer-3 are not sustained. The allegation that Officer-3 violated MNPD Manual 4.20.040 (A) Adherence to Policy & Rules by way of not following MNPD Manual 6.20.080 Vehicle Holds is sustained.	Response Pending

Case Number	Allegations	Case Summary	Findings	MNPD Response
<p>CC2020-012</p>	<p>Audit of OPA Investigation</p> <p>OPA sustained allegations of Conduct Unbecoming; Profanity; and Adherence to Policy and Rules: Time Computation.</p>	<p>Complainant alleges an MNPD Captain cursed, was hostile and acted in a manner unbecoming an employee of the Department. Specifically, Complainant alleges that while nannying for three minor children, ages 7, 5, and 3-years-old, the Captain played loud music that included offensive language, cussed at her and the children, called her offensive names, and threatened to turn on his sprinkler system to make them leave from a community bike path.</p>	<p>The COB found deficiencies with the allegations in the OPA investigation. OPA found three violations. Upon review, five additional allegations should have been sustained: Discourtesy; Self-Control; Devoting Time to Duty; False Statements; and Lack of Professionalism.</p>	<p>Response Pending</p>
<p>CC2020-013</p>	<p>Discourtesy; Improper Search and Seizure; Lack of Professionalism; Excessive Use of Force; Official Obligation Self-Identification; and Deficient or Inefficient Performance of Duties.</p>	<p>Two complainants had their parked car rammed by MNPD and were ordered out at gunpoint. Initially, no reason was given. Complainants were handcuffed and held at gunpoint while car was searched until it was determined MNPD made a mistake. Only one officer gave their badge number.</p>	<p>The allegations against Officer-1 are not sustained. The allegations against Sergeant are not sustained. However, the Lieutenant's Deficient or Inefficient Performance of Duties for authorizing the vehicle block is sustained.</p>	<p>Response Pending</p>
<p>CC2020-014</p>	<p>Excessive Use of Force; Courtesy; Profanity; Failure to Administer First Aid; and Failure to Adhere to Rules and Policies regarding Stop and Frisk.</p>	<p>Five officers entered the complainants' residence without a warrant. Complainant 2 states that after the officers entered without verbal consent, officers approached Complainant-1 and "beat him unconscious into the floor". Complainant-1 did not receive any medical attention. In addition to his injuries, officers were rude and cussing whenever Complainant-2 asked about medical attention for Complainant-1.</p>	<p>Allegations 1-4 for Excessive Use of Force, Discourtesy, Profanity, and Failure to Administer Aid are not sustained against any of the Officers. Allegation 5 for Officer-5, MNPD Manual 4.20.040(A) Adherence to Policy & Rules regarding Stop and Frisk, is sustained.</p>	<p>Response Pending</p>

Case Number	Allegations	Case Summary	Findings	MNPD Response
<p>CC2020-018</p>	<p>Discourtesy; Responsibility; Profanity; and Self-Control.</p>	<p>The Complainant alleges that Officer make a U-turn in the middle of the roadway without initiating any lights or signals, which resulted in a vehicle crash with oncoming traffic. The Officer could be heard, by the Complainant, cursing and yelling at both the driver of the vehicle ("Driver") involved and himself. When Complainant told Driver he witnessed the accident, the Officer began yelling and cussing at the Complainant ordering him to pull over as well.</p>	<p>Allegations of Discourtesy, Responsibility, Profanity, and Self-Control are all sustained.</p>	<p>Chief Drake asserted that he could not legally impose the Board's findings, since they were based on the same evidence the precinct had considered in its discipline of the Officer for the same incident.</p>
<p>CC2020-020</p>	<p>Discrimination; Obstruction of Rights; Abusive Treatment; Adherence to Rules: Voided Citations; Intimidation or Coercion; and Deficient or Inefficient Performance of Duties.</p>	<p>Complainant alleges that he and his friend were detained for approximately one hour without justification, possibly as the result of being racially profiled, and were forced to sit in an unairconditioned vehicle with the engine off and windows up as retaliation for not granting consent for the officers to search his vehicle and for asserting his rights. Complainant also had filed a complaint with a Sergeant at OPA but did not believe it was being adequately investigated.</p>	<p>Against Officer-1, the allegations of Obstruction of Rights and violation of Adherence to Rules re: Voiding Traffic Tickets are sustained. Against Officer-2, the allegation of Abusive Treatment is sustained. Against Sergeant, the allegation of Ineffective Performance of Duties is sustained. All allegations of Obstruction of Rights, Discrimination, and Intimidation or Coercion are not sustained.</p>	<p>Response Pending</p>
<p>CC2020-028</p>	<p>Dishonesty; Improper Search/ Seizure.</p>	<p>Complainant alleges Officer took Complainant's gun without a warrant or justification. Complainant further alleges that Officer was dishonest by way of "inaccuracies in his report." For example, the timing of the encounter and referring to the Complainant as "her" in the written report.</p>	<p>The allegation of Dishonesty is not sustained, and the allegation of Improper Search & Seizure is unfounded.</p>	<p>Chief Drake accepted the findings as presented by the COB.</p>

Case Number	Allegations	Case Summary	Findings	MNPD Response
<p>CC2020-030</p>	<p>False Statements; Failure to Appear; Honesty and Truthfulness; Transportation of Prisoners; and Use of Seatbelts and other Safety Restraints.</p>	<p>Complainant was stopped by an MNPD Sergeant and investigated for driving under the influence. Complainant states that Sergeant lied on his report, that Sergeant did not appear in court four times, texted during the interaction, did not put her seat belt on at all, and put her handcuffs on incorrectly.</p>	<p>The allegations of False Statements, Honesty & Truthfulness, Transportation of Prisoners, Use of Seatbelts and other Safety Restraints are not sustained. However, the allegation that Sergeant failed to appear for multiple court dates violated MNPD Manual 3.70.090 (A) Appearing in Court and is sustained.</p>	<p>Chief Drake accepted the findings of non-sustained. However, he rejected the finding that the Sergeant failed to appear for multiple court dates, citing court blocks and other forms of excused absence.</p>
<p>CC2020-035</p>	<p>Adherence to Policy and Rules: Evidence Procedures; Adherence to Policy and Rules: Follow-Up Investigation Responsibility; and Deficient or Inefficient Performance of Duties.</p>	<p>Complainant believed her son's overdose death was related to foul play. Complainant received conflicting information from different officers about whether his death would be investigated as a murder case or not.</p>	<p>Allegation 1: Adherence to Policy and Rules, Evidence Procedures is sustained. Allegation 2: Adherence to Policy and Rules, Follow-Up Investigation Responsibility is sustained. Allegation 3: Deficient or Inefficient Performance of Duties, is sustained.</p>	<p>Response Pending</p>

Case Number	Allegations	Case Summary	Findings	MNPD Response
D2020-005	Audit of OPA Investigation	A search warrant was executed at complainant’s residence. It was alleged that MNPD personnel involved in the planning and execution of the search warrant did not exercise due diligence in confirming whether or not the subject associated with the search warrant actually resided at the location. As a result, Complainant’s door was broken down with a battering ram. Complainant was awoken from her sleep, undressed, when officers came in pointing guns at her.	Deficiencies were found for the allegations against the Commander. Commander was in violation of two additional policy sections that OPA did not include. No other deficiencies were found.	All findings against the two officers, Sgt., and Lt. were accepted. Chief Drake asserted that he could not legally impose the Board’s findings against the Commander, since they were based on the same evidence OPA considered in its discipline of the Officer for the same incident.
CC2021-011	Obstruction of Rights, False Arrest; Adherence to Policy and Rules, Preliminary Investigations	Complainant reports that Officer A and Officer B responded to a 911 call made by his neighbor, and Officer A charged Complainant with aggravated assault without justification. Officer B who had spoken to Complainant stood there and let it happen without intervening or saying anything.	Obstruction of Rights, False Arrest is sustained for Officer A and unfounded for Officer B. Adherence to Policy and Rules, Preliminary Investigations for Officer A is sustained.	Response Pending

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