

METRO NASHVILLE COMMUNITY OVERSIGHT BOARD ANNUAL REPORT

2022



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NOTE FROM THE CHAIR

Calendar Year 2022 like no other demonstrated the continuing need for community oversight of local law enforcement. While great strides have been made in the effort to promote transparency in the Metro Nashville Police Department (MNPd), there nonetheless is much more to be done.

The Community Oversight Board (COB) and Metro Nashville Community Oversight staff (MNCO) have been ever vigilant in processing citizen complaints and conducting policy advisory research.

This Annual Report includes specific details about COB and MNCO activities and accomplishments. As of this publication the COB continues to investigate the non-disclosed editing of Body Worn Camara footage provided to MNCO by MNPd pursuant to a records request related to a citizen's complaint of police misconduct. The COB has proposed several policy initiatives to assure MNPd records authentication and to help rebuild the public's trust in local law enforcement.

In 2022 the COB and MNCO investigated and reviewed several use-of-force incidents including the following officer involved shootings:

- On January 27, 2022, a man was shot to death by members of multiple law enforcement agencies (including MNPd personnel) on Interstate 65 Northbound at mile marker 76.
- June 2, 2022, a murder suspect was shot by responding MNPd Officers at a Nashville Business.
- October 21, 2022, an MNPd Officer returned gunfire (without injury) of a suspect during a standoff at a residence located in Bellevue.
- On November 12, 2022, in Madison while investigating a previous incident, MNPd Officers returned fire and shot to death a man who approached the crime scene and began firing a weapon at officers.
- Also on November 12, 2022, MNPd Officers shot to death a man in the 8000 block of River Road, near the Cheatham County line, following reports that a man in the street was throwing items at passing vehicles.



In addition, the COB continues to investigate and make policy recommendations about how the MNPd is trained and equipped to assess and respond to residents in crisis and to victims who have experienced trauma.

Also, while MNCO filled various staff positions in 2022 it nonetheless remains underfunded compared to national standards. The COB shall continue its petition of the Mayor's Office for the funding necessary to carry-out the will of the people.

Since becoming a Board Member on February 15, 2022, and Board Chair on August 24, 2022, I've come to know the tremendous sacrifice of time, energy, and passion made by each COB Member.

I'm proud to work with these fellow volunteers who truly serve in the best interest of the people of Nashville/Davidson County.

Michael Milliner

MICHAEL MILLINER
CHAIR - COMMUNITY
OVERSIGHT BOARD

DIRECTOR'S STATEMENT

Dear Nashville Community:

What a year 2022 proved to be for police oversight in Nashville, Tennessee!

From Board member and staff changes, annual budget increases, allegations of the editing of police body worn camera video footage, police shootings, increased reporting of police misconduct, calls for Department of Justice intervention, and expanded community outreach, the MNCO staff and COB Members have been extraordinarily busy and working intently to be about the People's business.

We saw police shootings that called into question how the police department responded to individuals who were experiencing a crisis and the need for more mental health training for our officers. We raised concern about the release of police records to the MNCO to conduct investigations in a timely fashion and showed up at every police shooting and asked the relevant and specific questions to move forward with our investigations. We consoled those who were heartbroken and traumatized after police encounters, and we encouraged others who felt disempowered to report their negative police experiences.

The COB and MNCO worked intentionally to target MNPD's policy and procedures by making reformative recommendations to address areas that should be strengthened and would assist the department with fortifying and clarifying procedures that could potentially leave room for misinterpretation.

We spent countless hours strengthening our relationship with the Community by significantly expanding our community outreach. You will see in this report the many events and activities we embarked upon in the 3rd and 4th quarter of the year.



We showed up, were fully present, and listened to the many community members as they expressed their expectations of the Community Oversight Board.

I am extremely proud of the MNCO staff, both new and old, on how they have continued to push through every adversity, set-back, and challenge. Without the dedicated staff of the MNCO we would not be able to do this work. As our staff increases to meet the needs of the Community in a more thoughtful and impactful way, we strive to move the needle forward in meeting our own expectations of thoroughness, timeliness, and excellence in 2023.

We look forward to your continued support and our continued collaborative work in the coming year. We appreciate you; we see you; we hear you...

With gratitude & thanks,

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

JILL FITCHEARD

**EXECUTIVE DIRECTOR -
COB/MNCO**

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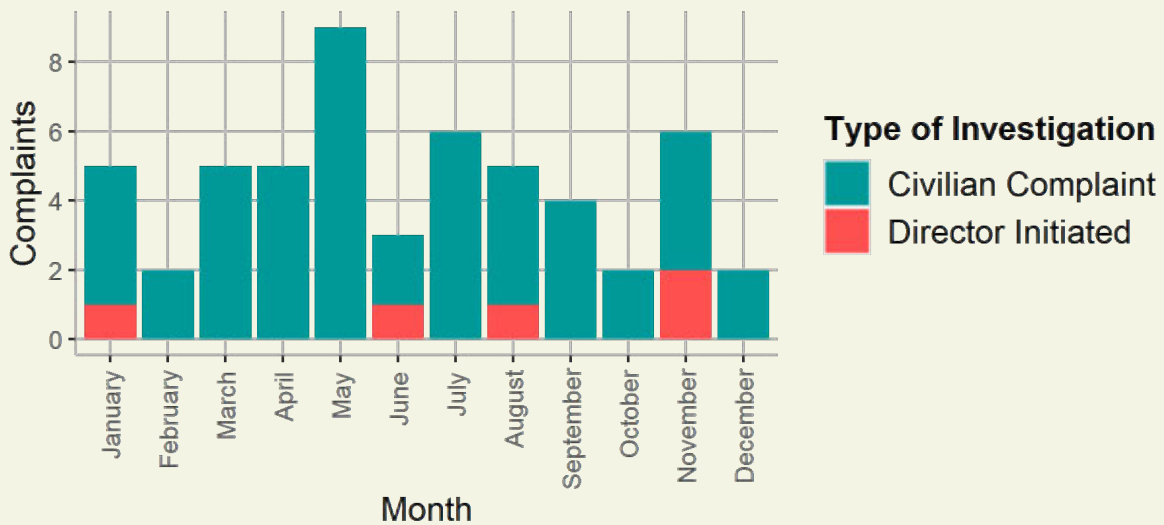
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2022 HIGHLIGHTS

In 2022, the Community Oversight Board made significant progress towards its goals of transparency, accountability, and trustworthiness.

While interrupted by numerous factors such as staff turnover and records issues, the COB grew as a department and continued to work toward ensuring accountability and reform in the Metro Nashville Police Department.

Total Complaints Made by Month in 2022



88
%

OF CITIZEN
COMPLAINTS
INVESTIGATED

53

COMPLAINTS &
DIRECTOR
REVIEWS

2442

HOURS WORKED
BY INVESTIGATORS
ON MISCONDUCT
ALLEGATIONS

2600

RESIDENTS
REACHED THROUGH
COMMUNITY
ENGAGEMENT

20
%

OF COMPLAINTS
SUSTAINED

22

ZIP CODES
REPRESENTED
IN COMPLAINTS

102

ALLEGATIONS
ADJUDICATED
IN PRRS

6

NEW STAFF
HIRED

55

EVENTS HOSTED



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 (MNPd) 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 MNPd Office of Professional Accountability (OPA) or equivalent internal affairs program in MNPd.

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. MNPd shall respond to disciplinary recommendations in writing.

COB MEMBERS - COMMUNITY-NOMINATED



MICHAEL MILLINER
(CHAIR)
REAL ESTATE AGENT



SHAWN WHITSELL
(SECOND VICE CHAIR)
ARTS PRACTITIONER



MARK WYNN
RETIRED MNPD OFFICER &
POLICE CONSULTANT



MAKALYA MCCREE
ORGANIZING DIRECTOR -
ORGANIZE TENNESSEE



JOE BROWN
RETIRED JUDGE



MAXINE SPENCER



REV. JAMES TURNER
PASTOR, NEW HOPE
MISSIONARY BAPTIST
CHURCH



COB MEMBERS - COUNCIL NOMINATED



ALISHA HADDOCK
SENIOR VP, THE HOUSING FUND



WALTER HOLLOWAY
RETIRED MNPD OFFICER

MAYOR NOMINATED



PHYLLIS HILDRETH (*VICE CHAIR*)
VP FOR STRATEGY AND INSTITUTIONAL
ADVANCEMENT, AMERICAN BAPTIST
COLLEGE; ASSOCIATE PROFESSOR,
LIPSCOMB UNIVERSITY



DREW GODDARD
(*SECRETARY*)
RETIRED ATTORNEY

COB MEMBERS WHOSE TERMS ARE EXPIRING

In January 2023, the terms of three Board members will expire: Vice Chairs Phyllis Hildreth and Shawn Whitsell, as well as Board Member Mark Wynn. 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 election and confirmation of new Board members will be completed on January 31st, 2023, by the Council. Members whose terms are expiring are eligible to re-apply.



PHYLLIS HILDRETH (VICE CHAIR)
VP FOR STRATEGY AND INSTITUTIONAL
ADVANCEMENT, AMERICAN BAPTIST
COLLEGE; ASSOCIATE PROFESSOR,
LIPSCOMB UNIVERSITY



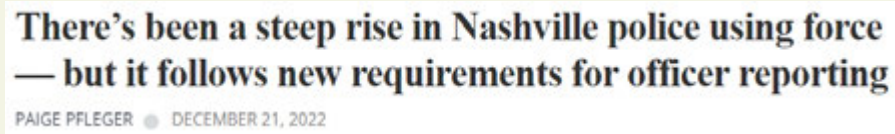
SHAWN WHITSELL
(SECOND VICE CHAIR)
ARTS PRACTITIONER



MARK WYNN
RETIRED MNPD OFFICER &
POLICE CONSULTANT

COB IN THE NEWS

The work of the COB led to several notable, newsworthy changes in Nashville.



Prior to 2022, unless there was an injury, MNPD only tracked force usage when a Taser, chemical spray, hard empty hand control, impact weapon, or deadly force tactic were used. Following a Policy Advisory Report from the COB, however, MNPD began tracking "soft empty-hand" uses of force on January 1st, 2022. Soft empty hand techniques include takedowns, pain compliance pressure points, joint manipulation, or grabbing. This change has led to a vast increase in the number of counted uses of force in 2022, which MNCO believes will ultimately lead to greater transparency from the MNPD.



After it was discovered that the COB received edited body camera footage during a misconduct investigation, MNPD revealed that their ITS staff were removing profanity from all videos they released to the COB and via public records requests. After multiple internal investigations, MNPD now provides the COB with a 'Redaction Log' indicating the timestamp and reason for each redaction as allowed by law.



Beginning in 2021, the COB took a position against MNPD's use of License Plate Readers (LPRs). While Council ultimately approved their usage on a pilot basis, the COB continued to raise concerns, amplify community voice, and make policy suggestions to ensure that the program has the strongest possible protections for those who live in and drive through Nashville. As part of this accountability work, MNCO created and hired for a new position, the Digital Evidence and Data Technician. This cutting-edge role is specifically designed to monitor MNPD's LPR and BWC programs as a response to the increasing technologization of policing in the 21st century.



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 (MNP) misconduct; to examine and issue policy recommendations regarding local law enforcement policies and practices; to encourage open and constructive communication and cooperation between local law enforcement and Metro’s residents; and to protect civilians’ rights and promote professionalism and best practices in the MNP, enhancing community-police relations and creating a safer Nashville.

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 MNP 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, four Investigators, two Research Analysts, a Digital Evidence and Data Technician, a Social Worker, 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



DAVID KIELEY
ASSISTANT DIRECTOR



DANIEL YOON
LEGAL ADVISOR



GAVIN CROWELL-WILLIAMSON
LEAD RESEARCH ANALYST



DEMICA ROBINSON
COMMUNITY LIAISON



SIMONE CAWL
SOCIAL WORKER

MNCO STAFF (CONTINUED)



VERNON JOHNSON
INVESTIGATOR



APRIL WILLIAMS
INVESTIGATOR



AMY SIMMONS
INVESTIGATOR



ANGELA WILLIAMS
INVESTIGATOR



MARIAN PINSON
ADMINISTRATIVE ASSISTANT



DYLAN DEPRIEST
DIGITAL EVIDENCE AND
DATA TECHNICIAN

MULTIPLE MNCO STAFF HIRED



Metro Nashville Community Oversight hired six new staff members over the course of 2022.

Marian Pinson is MNCO's new Administrative Assistant, joining the team in March 2022. She is a native Nashvillian who has spent her entire career working to serve the Nashville community. She previously worked for the State of Tennessee for many years and in the Non-profit sector, with positions at the Greater Nashville Regional Council on Aging & Disability, and The Next Door. She received her BA in Religious Studies from American Baptist College and graduated cum laude. She earned a Master of Divinity from Vanderbilt University and obtained a graduate certificate with honors in Non-profit Management from Tennessee State University. She enjoys traveling, attending church, spending time with family and friends, and helping others through community service engagements.

DeMica Robinson is MNCO's new Community Liaison, joining the team in May 2022. She joins the team after proudly serving as a high school teacher for eight years, where her emphasis was Criminal Justice. Before her career in public education, Ms. Robinson spent over twenty years working with juveniles and adults who were involved in the criminal justice system. Her passion is working within the community advocating for quality education, fostering healthy relationships, and providing service to those who are in need. She has a Bachelor of Arts in Criminal Justice from the University of Tennessee at Chattanooga and a Master of Criminal Justice Administration from Tennessee State University.

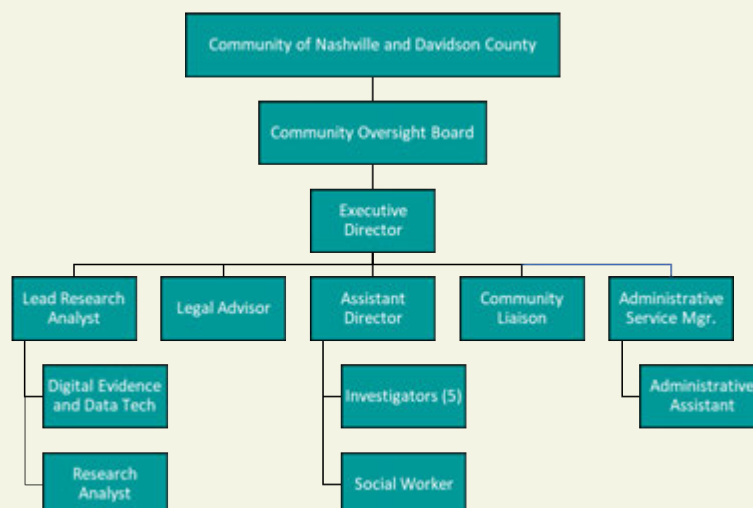
Angela Williams is MNCO's newest Investigator, joining the team in October 2022. She has spent many years working in the community with focus on social services and juvenile justice. She has worked in various roles including as a Case Manager, Correctional Counselor, Therapist, Investigator, Employee Relations Officer, Director, and Program Manager. She has worked with state and metro government, as well as non-profits to help bring about positive change in Tennessee. She is a graduate of Vanderbilt Chaplaincy Pastoral Education program and of Oral Roberts University with a Master of Divinity and undergraduate work in Criminal Justice. Angela enjoys traveling, ministry work, and she actively participates in the aid to the reduction of recidivism by administrating the message of change.

MULTIPLE MNCO STAFF HIRED

Simone Cawl is MNCO's new Social Worker, joining the team in in October 2022. Simone previously worked in Independent Living Housing for young adults for four and a half years. She received her Master's in Social Work from Middle Tennessee State University in 2019. Simone has a minor in Organization Communication, has worked in development and grant writing, and has extensive training in Handle with Care and Trauma Informed Care. Simone is a Nashville native; being born and raised here, she has a genuine love for her city and the clients she has served.

David Kieley is MNCO's new Assistant Director, joining the team in December 2022. He holds a B.A. from Northwestern University and J.D. from Vanderbilt University. As an Assistant Public Defender from 2013 to 2022, he litigated numerous criminal cases, oversaw the office's Bail Advocacy Project, and mentored young attorneys. Dave is a graduate of the Nashville Bar Foundation's Leadership Forum (2019) and Gideon's Promise three-year training program for public defenders (2016). He has also served on the board of Rooftop Nashville and coached mock trial at McGavock High School. A native of New Jersey, he has lived in Nashville since 2009.

Dylan DePriest is MNCO's new Digital Evidence and Data Technician, joining the team in January 2023. Originally from Rhode Island, Dylan moved to Nashville in 2016 to attend Vanderbilt University. While there, he majored in Public Policy Studies and Human & Organization Development with focuses in Criminal Justice and Statelessness respectively. After graduating in 2020, he returned to Vanderbilt for a Master of Education in Community Development & Action. He received his Master's in May of 2022, after defending his thesis "Orange is the new 'Black Gold': How coal, the census, and the carceral state have shaped the Central Appalachian Region." Prior to his current role, he worked for the Tennessee Immigrant and Refugee Rights Coalition as their grants and data coordinator. Outside of work, Dylan can be found watching films at the Belcourt Theatre, walking in Shelby Bottoms Park, or hanging out with his pet chameleon, Hot Dog.



TRAINING AND PROFESSIONAL DEVELOPMENT



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) 2022 Conference
 - In-person conference in Ft. Worth, TX, from September 11-15
 - Virtual conference on October 26th, November 2nd, and November 9th
- NACOLE Webinars on "Policing Regulation and Oversight: Trends, Problems and Solutions," "Expand Beyond the Camera: Situating Body Worn Cameras (BWC) within Civilian Oversight," "Implicit Bias Training for Law Enforcement: Current State of the Field," and "Understanding Brady and Giglio: Civilian Oversight's Role".
- NACOLE's Certified Practitioner of Oversight Certification
- MNPD's Citizen Police Academy
- Daigle Law Group's Internal Affairs Training
 - Four-week virtual training from April 28th - May 20th
- Association for Public Policy Analysis and Management's 2022 Fall Research Conference
 - In-person conference in Washington DC, from November 17-19
- SAMHSA GAINS meetings on Nashville's Non-Law Enforcement Model Strategic Planning
- The Sycamore Institute's Fees and Fines Network
- Cornell University's Training on Crisis Management, "Thinking About the Unthinkable"
- Lipscomb University's 1st Annual Emerging Leadership Symposium
- Giffords Law Center and Northwestern University's Gang Prevention & Intervention Conference Webinar on the intersection of Policing and Community Violence Interruption work
- Nashville Conflict Resolution Center's Mediation Training
- Metro Human Resources Executive Leadership Training, "Building and Leading Effective Teams"

Image c/o <https://bit.ly/3Ql4yju>



2022 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, but MNPD began tracking them on 1/1/22.

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

Challenge: MNCO Finds Records Were Altered

In September 2021, MNPD provided MNCO staff with body camera footage pertaining to a discourtesy complaint filed a month prior. The COB subsequently voted on disciplinary recommendations for this case in May of 2022. When Chief Drake responded to those findings, he indicated that the officer was being disciplined for profanity as well – profanity that was not present in the video footage provided to MNCO staff. Several months of investigation both from MNCO and MNPD revealed a practice of MNPD's IT staff removing profanity in all requests for body camera data for both the COB and public records requests. In response to this, MNPD reviewed each of the BWC videos requested by MNCO staff since September of 2020, and has committed to providing logs accompanying each video request from MNCO moving forward, indicating the time and reason for any edits to the video. While MNPD was able to provide a solution in the end, the months of back and forth between the two departments proved challenging, particularly pertaining to the maintenance of public trust in both departments.

2022 CHALLENGES AND SUCCESSES

Success: Significant Increase in Policy Implementation

The COB has made 27 policy recommendations to MNPD via various Policy Advisory Reports. In June of 2022, the research team noticed a significant gap between the policy recommendations that MNPD had accepted on paper and those that had been codified in MNPD policy and implemented by the Department.

After several months of productive meetings between MNCO and MNPD, MNPD has fully implemented 18 of the 27 recommendations (66.7%), partially implemented four (14.8%), not implemented three (11.1%), has one recommendation actively under implementation (3.7%), and has one recommendation they are unable to implement (3.7%). This reflects the full implementation of eight more recommendations, including seven recommendations that were not at all implemented being partially or fully implemented. As a result of this process, MNPD has also agreed to institute a 'Management Response Form' to track the COB's recommendations, their agreement, actions, implementation, and responsible party.

Challenge: Significant Delays in Production of Proposed Resolution Reports

Throughout 2022, MNCO staff sought ways to streamline the process of producing Proposed Resolution Reports (PRRs). While staffing challenges, including a lack of investigators, the lack of an Assistant Director, and the Legal Advisor going on leave certainly exacerbated the issue, MNCO sought to identify the various organizational points of failure contributing to climbing closure times. This internal review is ongoing, and staff hope it will bring about change to help both complainants and officers receive closure more quickly. The COB understands that lengthy delays in case closure directly impact the public's trust in the work of the Department, and strives to enhance that trust in any way possible.



Success: Significant Increase in Community Engagement

Having a full-time Community Liaison for the majority of 2022 enabled a significant increase in the number of events hosted as well as attendance at those events. MNCO hosted 55 total events in 2022 (up from 28 in 2021) and saw approximately 2600 participants at those events (up from 1900 in 2021). This level of engagement is critically important as MNCO continues to grow.

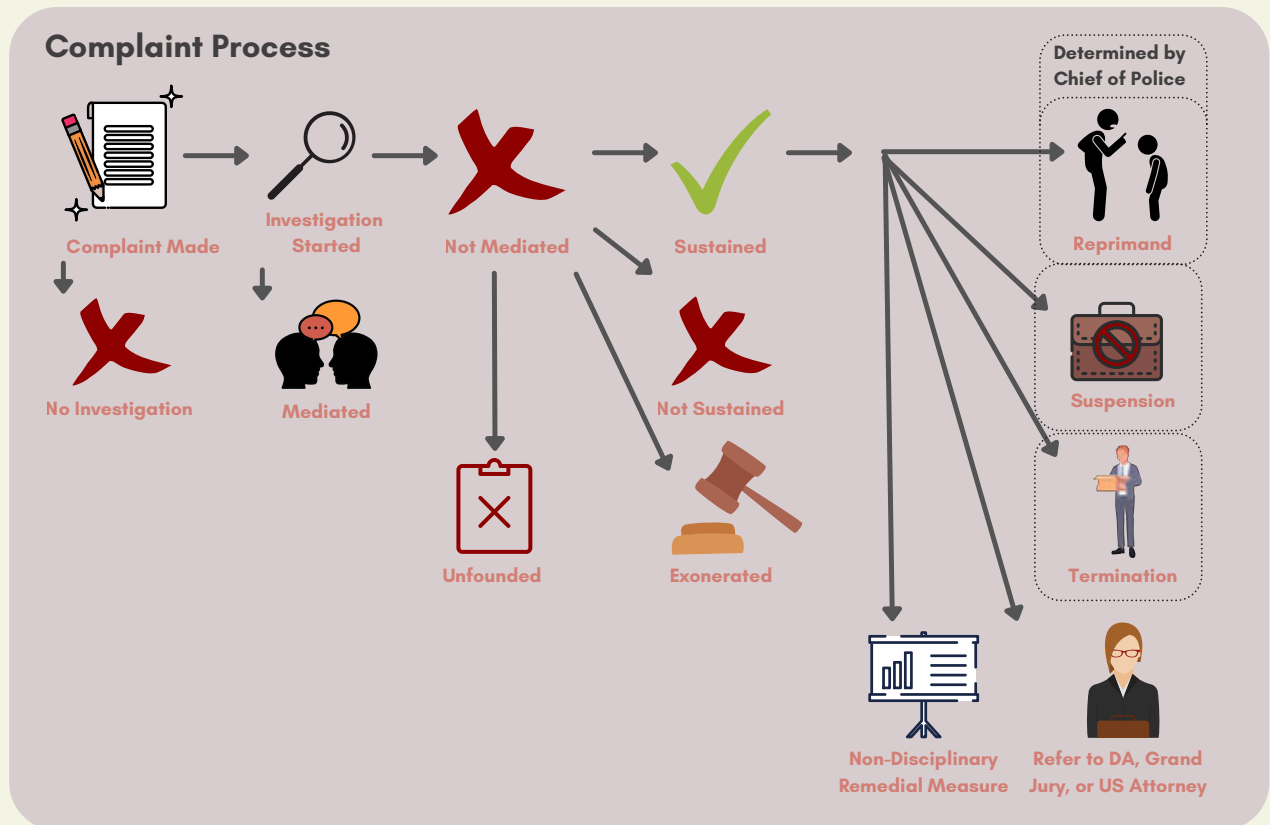


All allegations of MNPD misconduct are evaluated by the Social Worker during an intake process. If a complaint does not fall under the jurisdiction of MNCO (e.g. it occurred by a police department other than MNPD or occurred prior to April 1, 2019), the investigation is not pursued and, if applicable, 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) from the Executive Director and determines whether to accept the recommendation(s). 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:



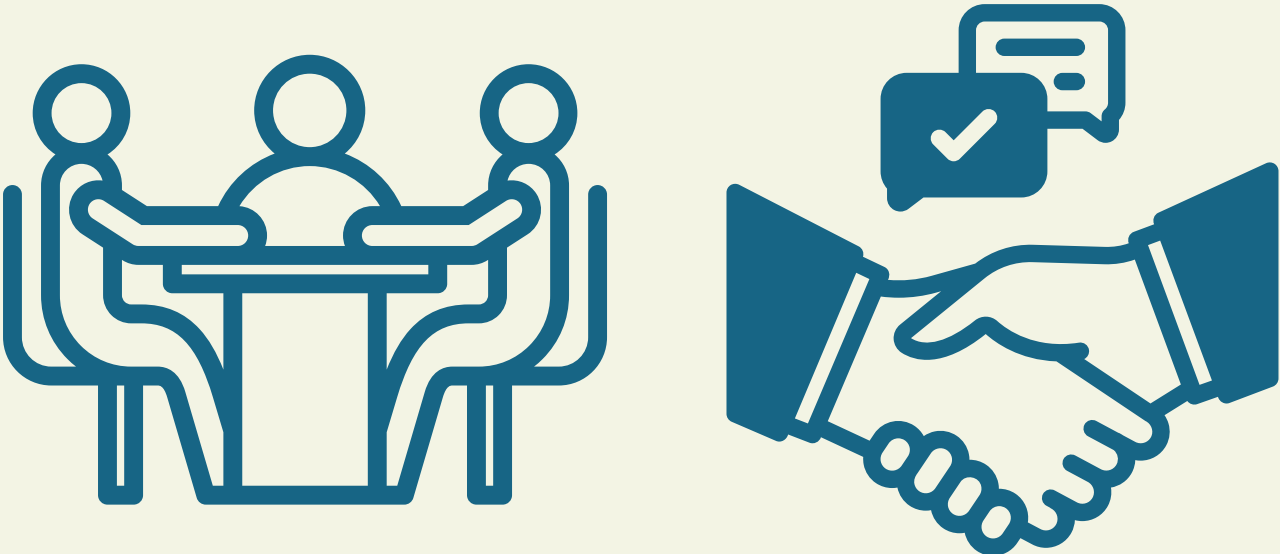
MEDIATION PROGRAM

The Board’s mediation program was developed by reviewing police mediation programs from across the US. The program incorporates best practices from MNPDP's current Police and Citizen Mediation Program 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 MNPDP employee accused of misconduct under the supervision of a highly trained mediator, which will help to build trust between MNPDP 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.

MNCO staff are currently in the process of re-working the department's Mediation Program. With the recent additions of a Social Worker and a new Assistant Director, MNCO aims to streamline the process to ensure maximum access to mediation in addition to the expedient resolution of complaints.

Below are several examples of cases eligible for mediation that MNCO received in 2022.



MEDIATION PROGRAM

CC2022-001

Allegations: Multiple allegations of Deficient or Inefficient Performance of Duties

Case Summary: The complainant stated that her intoxicated ex-husband drove to her home and started pounding on doors and windows, taunting her and yelling her name. After failing to reach a dispatcher on multiple 911 calls, she allegedly hid in her closet for 40 minutes until police arrived. When they arrived, the complainant alleged that the officers assisted her ex-husband into an Uber despite him failing a field sobriety test and despite the allegations against him. She further alleges that no officers spoke to her until after he'd left, and explained to her that they let him go with a warning but that she had enough evidence to obtain an order of protection.



CC2022-004

Allegations: Lack of Professionalism

Case Summary: The complainant stated that an officer wrote her a ticket for an improper lane change, which she denies doing. She stated that she had her blinker on and tried to wait appropriately for the officer to move over or speed up so she could get into the lane to get off at the exit. Complainant alleges that the officer then turned on his lights and yelled and scolded her in an unprofessional manner for passing him and wrote her a ticket. Complainant considers this an abuse of power, and very unprofessional to yell just because she may have passed the officer in a lane. Complainant believes his acknowledgement that she had her blinker on long enough for the officer to blow his horn several times shows that he was an aggressive driver that didn't want her to move over, and that his tone was inappropriate.

CC2022-020

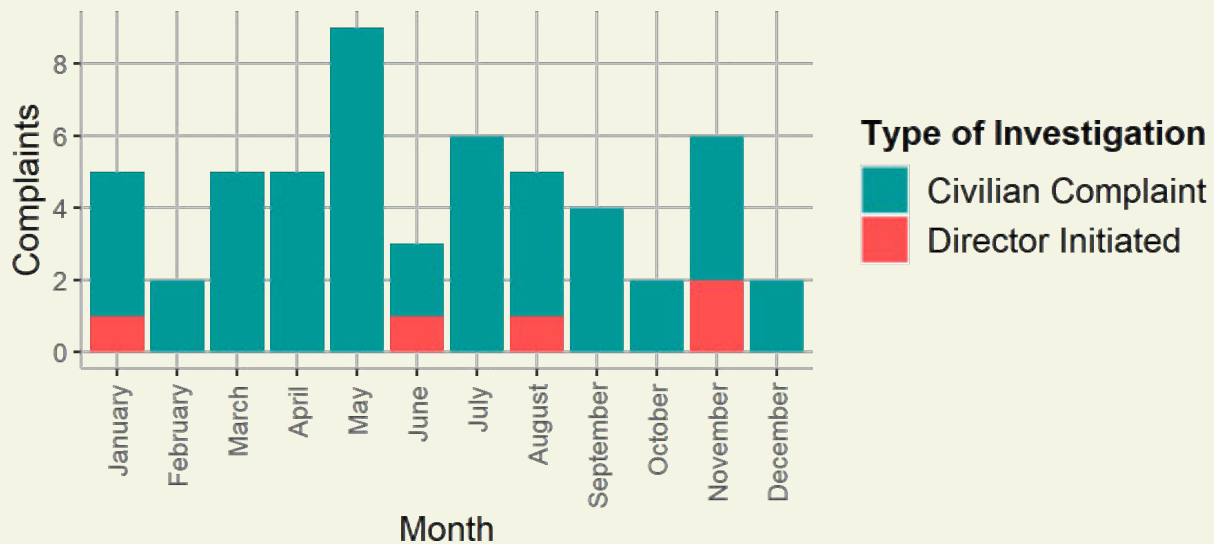
Allegations: False Arrest

Case Summary: Complainant alleges he was falsely arrested by an MNPD officer. Complainant stated that he allowed his stepfather to come and live with him. He further alleged that his stepfather was moving out of the home and they got into an altercation. Complainant stated that police were called and the officer informed him that he was being arrested for an outstanding warrant for domestic assault. Complainant found out later the assault was for the assault that just took place and alleged that the officer lied about the arrest.

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 administrative 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.

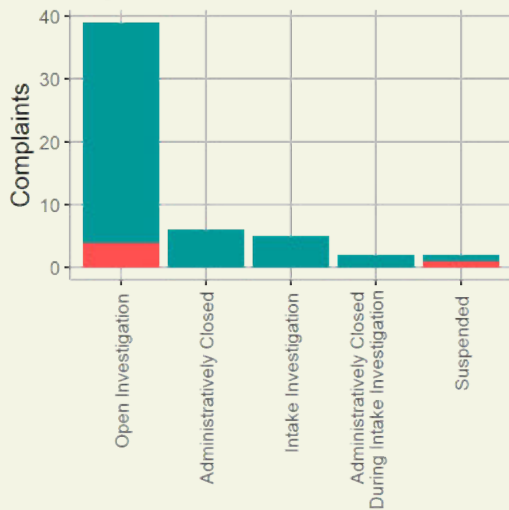
Total Complaints Made by Month in 2022



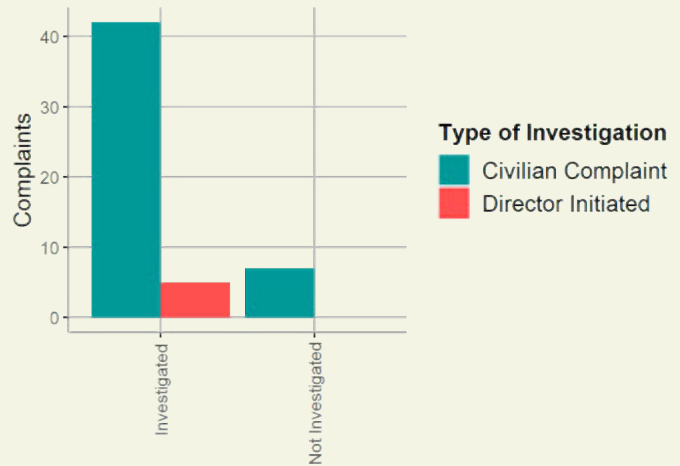
A total of 49 civilian complaints were received by MNCO in 2022. Of these, 40 investigations are either ongoing or in their intake phase (80% of all civilian complaints). MNCO received the highest number of complaints in May, when nine complaints were filed with the office. The Director initiated five investigations in 2022, four of which are ongoing and one of which is suspended.

NUMBER AND NATURE OF MISCONDUCT ALLEGATIONS AND REVIEWS CONDUCTED

Status of Complaints Made in 2022 as of January 1, 2023



Whether an Investigation was Initiated on Matters Reported to MNCO in 2022 as of January 1, 2023



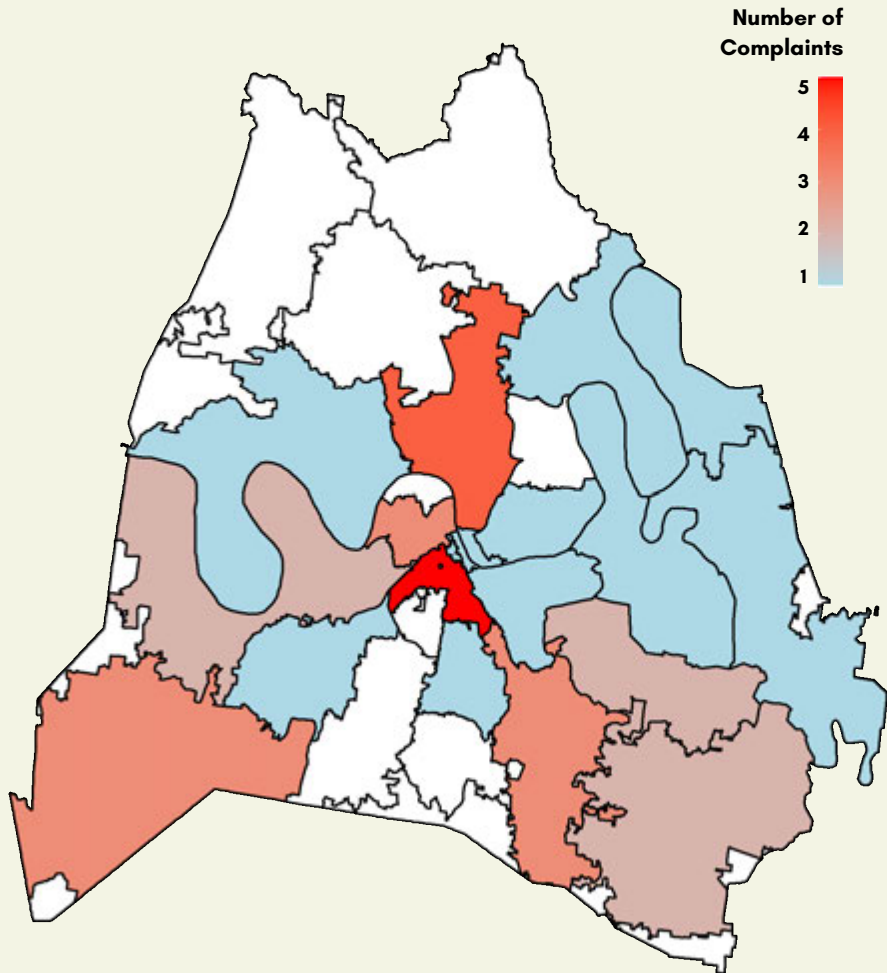
Status of All 2022 Civilian Complaints and Director Initiated Reviews as of January 1, 2023*

	Civilian Complaints	Director-Initiated
Total Complaints or Reviews	49	5
Investigation Conducted		
Open Investigation	35 (70%)	4 (80%)
Intake Investigation	5 (10%)	
Suspended	1 (2%)	1 (20%)
Administratively Closed	6 (12%)	
Successfully Mediated		
Resolution Report Issued		
No Investigation Conducted		
Administratively Closed During Intake Investigation	2 (4%)	

*Percentages may not sum to 100 due to rounding

NUMBER AND NATURE OF MISCONDUCT ALLEGATIONS AND REVIEWS CONDUCTED

2022 Complaints by Zip Code

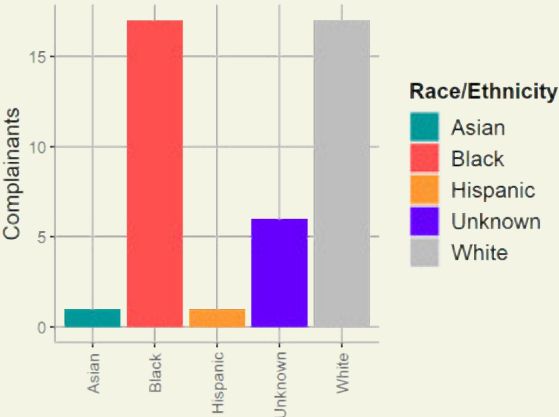


Zip Code	Number of Complaints	Zip Code	Number of Complaints
37013	2	37213	1
37076	1	37214	1
37115	1	37217	2
37138	1	37218	1
37201	2	37219	2
37203	5	37221	3
37204	1	38401	1
37205	1	37209	2
37206	1	37210	1
37207	4	37211	3
37208	3		

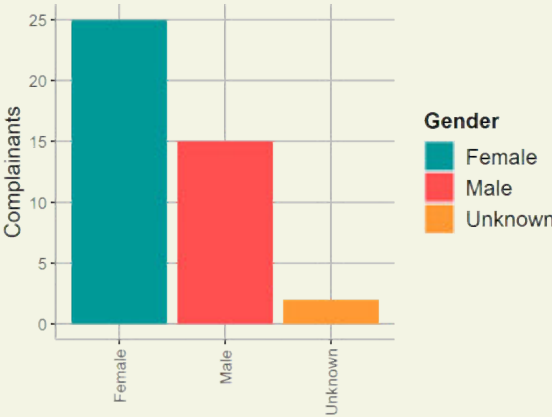
CIVILIAN COMPLAINT DEMOGRAPHICS, ALLEGATIONS, & OUTCOMES

MNCO tracks demographic information about complainants to better understand the population of residents served. There were 42 complainants across the 42 civilian complaints MNCO received. Seventeen (40.5%) of the complainants were Black or African American, seventeen (40.5%) were White, six (14.3%) were of an unknown race, one (2.4%) was Asian, and one (2.4%) was Hispanic. A total of 25 complainants (60%) were women and 15 (36%) were men.

Civilian Complaints Investigated by MNCO in 2022 by Complainant Race/Ethnicity



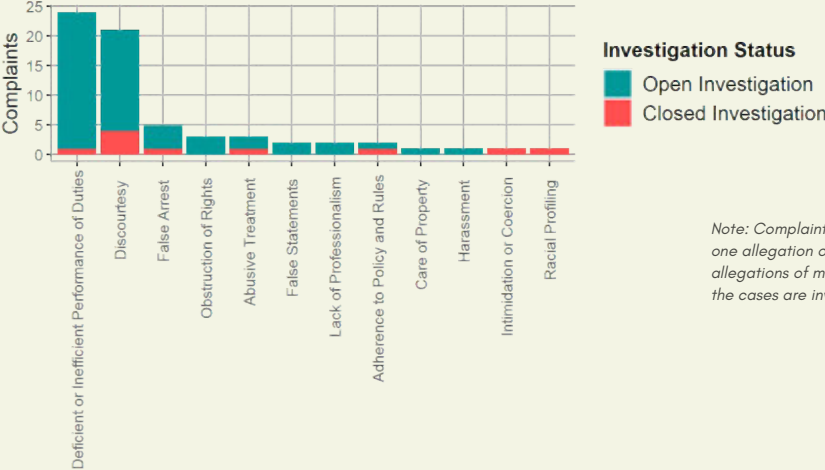
Civilian Complaints Investigated by MNCO in 2022 by Complainant Gender



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 deficient or inefficient performance of duties, followed closely by discourtesy. All different allegation types can be seen in the graph below.

Allegations of Misconduct in Civilian Complaints Investigated by MNCO in 2022 by Status of Complaints

as of January 1, 2023



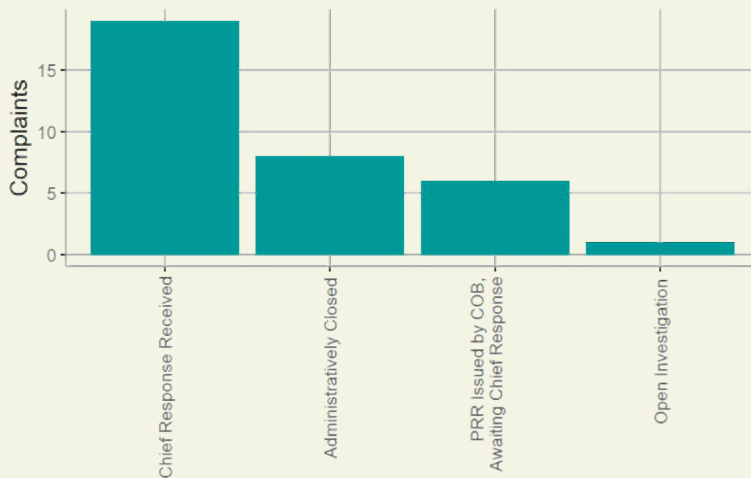
Note: Complaints usually contain more than one allegation of misconduct; additional allegations of misconduct may be added as the cases are investigated

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 for a variety of reasons, such as lack of cooperation or contact from the complainant.

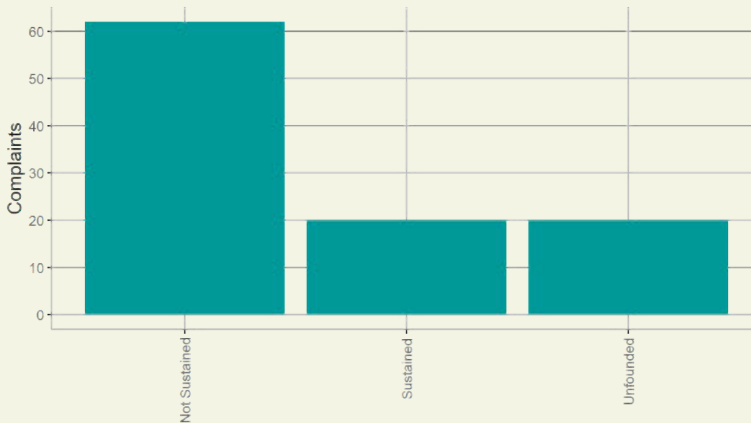
When a Proposed Resolution Report is prepared, the evidence collected is carefully evaluated to determine whether each allegation from the complaint is supported. Additional misconduct may be found during the investigation. Since MNCO conducts administrative investigations, the evidence must meet a preponderance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

Outcomes of Investigated Civilian Complaints Completed in 2022 as of January 1, 2023



Findings of Misconduct Allegations in Non-Audit Civilian Complaints Issued in 2022

as of January 1, 2023



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 102 Allegations of Misconduct were Adjudicated in 2022	
Outcome	Total (%)
Sustained	20 (19.6%)
Not Sustained	62 (60.8%)
Policy Exoneration	0 (0%)
Unfounded	20 (19.6%)

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 14 Resolution Reports in 2022. Two Resolution Reports were audits of investigations completed by MNPDP. One audit found deficiencies, the other did not.

Each of the Resolution Reports are summarized in an appendix at the end of this report. A full list of Proposed and final Resolution Reports are available to the public at:

[nashville.gov/Community-Oversight/Proposed-Resolution-Reports](https://www.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.



2022 POLICY RECOMMENDATIONS

Policy Advisory Report on Investigative Findings

(Issued by the COB on May 25, 2022)

1. The COB and MNPDP should meet and develop a shared set of definitions for investigative findings. They should work to develop such standards within 60 days of the issuance of this report.

MNPDP Response: MNPDP will accept the recommendation and agree to meet and discuss.

2. The COB and MNPDP should agree to modify Section IX.B of the Memorandum of Understanding to require MNPDP to operate under a presumption of correctness regarding the Board’s investigative findings.

MNPDP Response: Based upon the advice of Metro Legal, the MNPDP is unable accept this recommendation.

3. The COB and MNPDP should agree to modify Section IX.B of the Memorandum of Understanding to require MNPDP meet a standard of preponderance of the evidence when it disagrees with the findings of the Board.

MNPDP Response: Based upon the advice of Metro Legal, the MNPDP is unable accept this recommendation.

4. The COB and MNPDP should agree to modify Section IX.B of the Memorandum of Understanding to include language outlining that, absent preponderance of the evidence that the Board’s findings are in error, MNPDP should implement the minimum recommended discipline from the Board. The COB and MNPDP should work to develop such standards within 60 days of the issuance of this report.

MNPDP Response: Based upon the advice of Metro Legal, the MNPDP is unable accept this recommendation.

ADDITIONAL 2022 POLICY REPORTS

In addition to Policy Advisory Reports, the Research Team has instituted a number of informational reports, report proposals, and recurring reports as outlined below.

COB License Plate Reader Policy Position and Bill Comparison

On December 20, 2021 the COB voted to oppose the use of license plate readers (LPRs) by MNPd. Thereafter, the COB issued several letters to the Metropolitan Council asking for increased community engagement, asking for the process to proceed slowly so that all community members could have their voices heard, raising concerns about potential sources of funding, and highlighting conflicts of interest with LPRs. Once it was clear that LPRs were going to receive at least a pilot program, the COB released an additional informational report comparing the two pieces of legislation that would have governed the use of LPRs.

ShotSpotter Informational Report

In the city's Capital Improvement Budget (CIB), \$800,000 was set aside for ShotSpotter technology. While an item's presence on the CIB is not a guarantee that it will get funded, it can be seen as a 'menu' of options for Council to consider. The COB released an informational report on ShotSpotter, including a brief review of the technology, a review of the scientific literature on its efficacy, cost, and factors to consider in analyzing the cost-benefit of ShotSpotter. ShotSpotter has not as of yet been purchased by MNPd.

Evaluation of MNPd's Implementation of COB Policy Recommendations

In June of 2022, the research team noticed a significant gap between the policy recommendations that MNPd had accepted on paper and those that had been codified in MNPd policy and implemented by the Department. After several months of productive meetings between MNCO and MNPd, MNPd has fully implemented eight more recommendations, including seven recommendations that were not at all implemented being partially or fully implemented. This report will be updated semi-annually to chart continued progress.

MNPd Response Times Informational Report

MNCO received information from a number of channels that when residents are calling 911, MNPd's response times were increasing dramatically. This is an important topic for two reasons: first of public perception (i.e., the general public not believing that police will respond promptly), and second from a safety perspective in that certain call types demand quick response times in the interest of public safety. MNCO released a report detailing background information on the problem, the context locally, potential reasons for the increase, and detailed information on the call types and specific locations that were seeing significant increases in call response times.

ADDITIONAL 2022 POLICY REPORTS

Auditing MNPDP's Body Worn and In-Car Camera Program

MNPDP's body-worn camera (BWC) program has been ongoing for almost two years. While BWCs are popular both among advocates for criminal justice reform and police themselves, they must be supplemented by a robust oversight mechanism. MNCO staff believe it would enhance public trust in the BWC/ICC program for an independent oversight body to 'monitor the auditor' and to conduct its own investigation, including review of BWC footage and of MNPDP's monthly BWC/ICC audits.

To this end, MNCO staff proposed and the COB approved an ambitious research proposal to accomplish just that. Research will proceed through the following channels: 1) Interviews with MNPDP training staff and BWC/ICC staff regarding pros, cons, implementation, and auditing of the technology, 2) Interviews with other departments who have conducted audits of BWCs, 3) Focus groups and meetings with representatives from the District Attorney's office and the Public Defender's office, 4) Town halls and focus groups with Nashville residents from both the general public and from criminal justice stakeholders across the city, 5) A random sample of all BWC/ICC footage linked to arrests to determine any potential policy violations, including storage or retention issues, 6) A random sample of all Form 213s (MNPDP's Random Monthly Audits form), as well as the accompanying BWC/ICC footage and incident reports for those events, and 7) Copies of the Semiannual Audits by the BWC/ICC Program Administrator and by Police-IT Body Worn Camera/In-Car Camera Unit. Includes: a) Activation Audit, b) Compliance Audit, and c) Semiannual Audit

MNCO Monthly Chief Response Tracking

Per the Memorandum of Understanding (MOU) between the COB and MNPDP, the Chief of Police is obliged to review and provide a written response to a Resolution Report within 45 calendar days of receipt. The Chief is to indicate acceptance, partial acceptance, or nonacceptance of both the findings and/or recommendations, a statement or reasons for the decision, and the actions taken in response to the report.

This report tracks the Chief's acceptance, partial acceptance, or nonacceptance of the COB's findings as a means to understand the tangible implications of the Board's work. It is released monthly to the Board and is publicly posted on the COB's website.

MNCO Monthly Outstanding Chief Responses

As already mentioned, per the MOU between the COB and MNPDP, the Chief of Police is obliged to review and provide a written response to a Resolution Report within 45 calendar days of receipt.

This report tracks which Resolution Reports have not received a response from the Chief, highlighting those that have been outstanding for longer than 45 days. It is released monthly to the Board and is publicly posted on the COB's website.



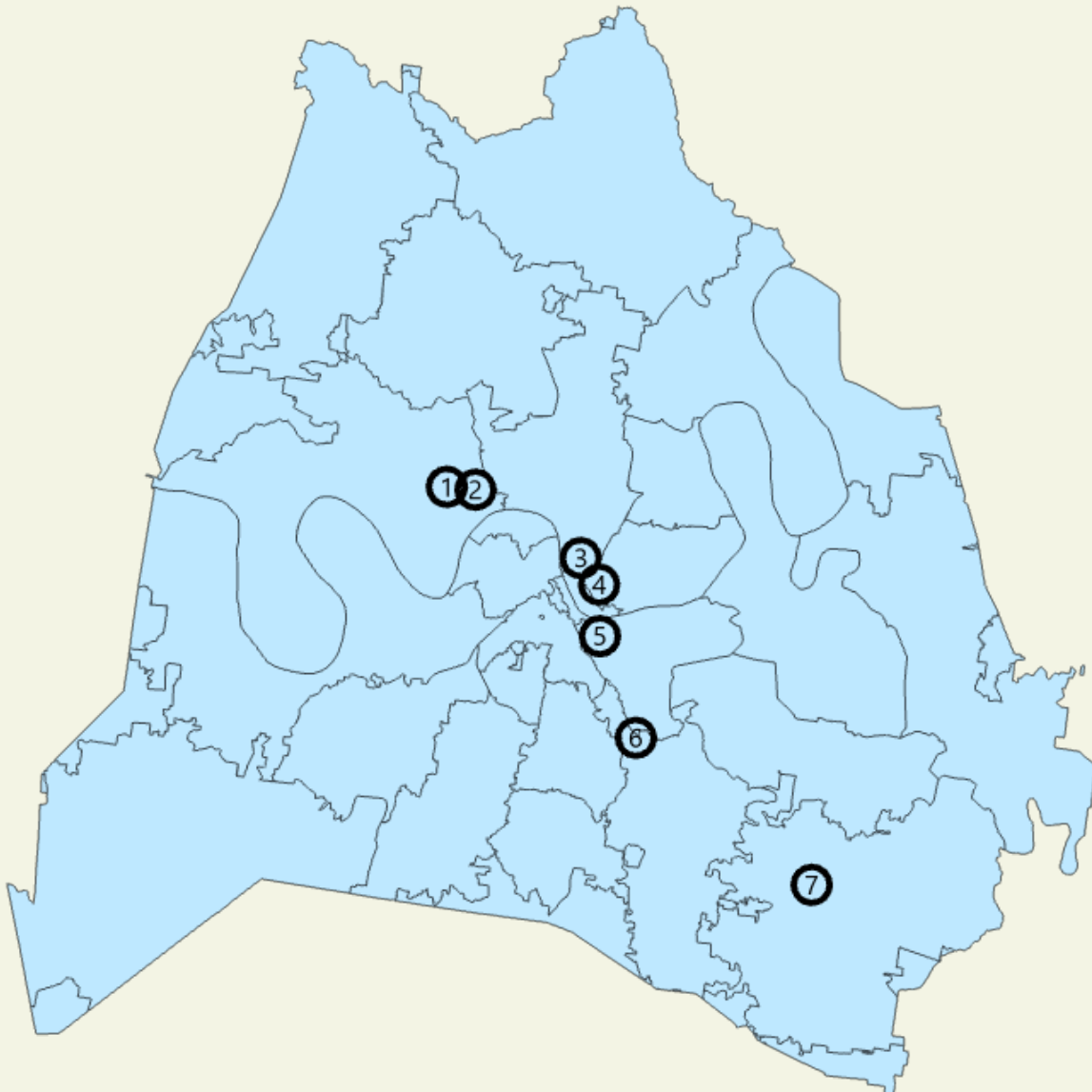
Community Engagement



COB MEETINGS

The COB's Board Meetings were held across the city, at the below locations:

1. Bordeaux Branch Library
2. Hartman Park Community Center
3. East Park Community Center
4. Howard Office Building
5. Pruitt Library
6. Coleman Park Community Center
7. Southeast Regional Community Center



COB MEETINGS

COB meetings were held throughout the Nashville community in 2022.



COB MEETINGS



Community Oversight Now Coalition Members were honored with a Resolution Plaque for their contribution and organizing to push for a Police Accountability Board.



COB and MNCO Staff



Executive Director Fitchard and Board Members reading the Resolution

COB MEETINGS



Community Outreach & Engagement

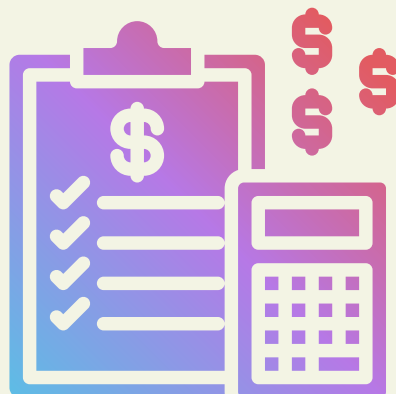


The MNCO participated in numerous events in the community throughout the year.



COB Budget

Chair Arnold Hayes & Executive Director Fitchard spoke about the budget. The Chair went before Metro Council and the ED was a panelist with Councilwoman Zulfat Suara and spoke with the media.



Nashville Conflict Resolution Center Annual Breakfast

The MNCO's Executive Director, Jill Fitchard, Community Liaison, Demica Robinson, Lead Research Analyst, Gavin Crowell-Williamson, and Board Member, Judge Joe Brown, attended the Nashville Conflict Resolution Center Annual Breakfast fundraiser.



International Ministry Fellowship (IMF)



TN Black Caucus State Tour at Jefferson Street Missionary Baptist Church



5th Annual Silence the Violence event at Hadley Park Community Center



National Action Network (NAN) Youth Summit at Hadley Park Community Center



2022 J.U.M.P. Jazz & Blues Festival



Nashville Pride Festival



Juneteenth Celebration at Ft. Negley Park



Black on Buchanan Juneteenth Celebration



AMAC Empowering Women: Speaking Our Truth Women's Conference



Mothers Over Murder (MOM)



MNPD Events



Goodwill Training Class



MNCO Public Safety Townhall



Executive Director Interviews on Radio & News Stations



92Q Let's Talk Nashville
with Ernie Allen



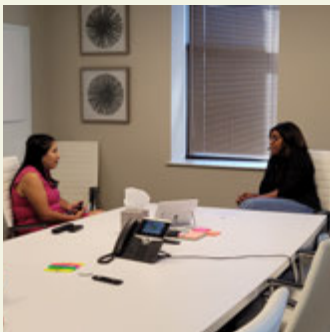
WFSK Jazzy 88 with Sharon K



The Howard Jones Show



WKRN News Channel 2



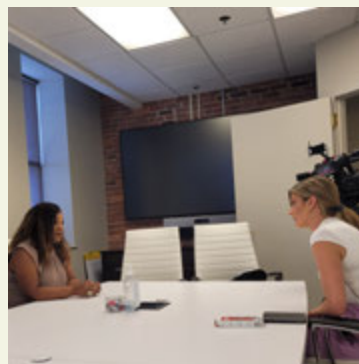
WTVF News Channel 5



WPLN RADIO



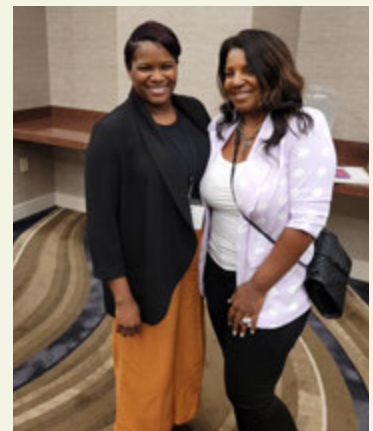
WTVF News Channel 5



WSMV News Channel 4

NACOLE 2022 ANNUAL CONFERENCE

National Association for Civilian
Oversight of Law Enforcement

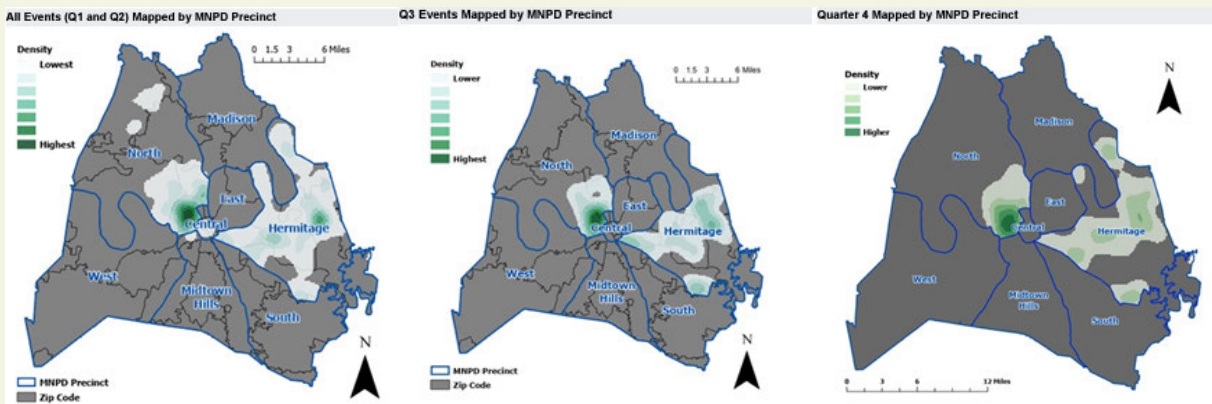


CRIMINAL JUSTICE CONCERNS RAISED BY THE COMMUNITY

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 Responses: 1) The COB has been working with MNPD as they institutionalize their Partners in Care (PIC) program, which pairs mental health clinicians with MNPD officers as a form of mental health crisis intervention. The COB was a member of the stakeholder committee for PIC and now that the program is formalized, intends to conduct a rigorous evaluation of its efficacy.



2) As a complementary piece to PIC, MNPD engaged in technical assistance with the Substance Abuse and Mental Health Services Administration (SAMHSA) GAINS Center in mid-2022. The assistance was to develop a county-wide strategic plan for a non-law enforcement model of response to mental health calls. MNCO was included in this technical assistance, along with representatives from other branches of government and community organizations. The program is slated to launch in February 2023, and will include a paramedic from the Nashville Fire Department and a master's-level clinician from Nashville's Mental Health Cooperative. As with Partners in Care, now that the program is formalized, MNCO is exploring options to conduct a rigorous evaluation of its efficacy.

3) Regardless of whether the COB finds any evidence of officer misconduct during an investigation, complainants often experience trauma from their encounter with MNPD. 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 MNCO hired a Social Worker to direct complaint intake for the office. The social worker will provide all complainants with trauma-informed intake of cases, needs assessments, and services for those who do not feel safe seeking them from other Metro social work options.

CRIMINAL JUSTICE CONCERNS RAISED BY THE COMMUNITY

Sexual Misconduct and Trauma-Informed Training

Community Concern: At its November 2022 Board Meeting, the COB hosted Greta McClain, the Executive Director of Silent No Longer Tennessee. At that meeting, Director McClain described being in communication with over 70 current and former MNPd employees who had complaints of sexual harassment, sexual assault, gender discrimination, racial discrimination, and retaliation. Director McClain called on the COB, Mayor Cooper, and members of Metro Council to institutionalize policies to protect MNPd employees from these issues.

MNCO Response: At its January 2023 Board meeting, the Research Team presented a Policy Advisory Report proposal addressing Director McClain's concerns and others raised by Board members. The report will address MNPd's sexual misconduct policy, the misconduct of current and former officers, and the accountability mechanisms in place to hold officers accountable for their behavior. Further, it will evaluate the training that officers receive on victim-centered, trauma-informed techniques, and make recommendations to fill the gaps on such training.



Photo from Silent No Longer's website

Overreach of Surveillance Technology

Community Concern: Both locally and nationally, it is becoming clear that technology is a major tenet of 21st century policing. This technology comes in many forms as outlined below. While proponents of such technology tout their purported benefits, the COB has very strong concerns regarding privacy, efficacy, and oversight of these tools.

MNCO Response: Body-worn cameras (BWCs) Following years of public pressure, MNPd fully outfitted its officers with BWCs in the summer of 2021. MNCO's research team has begun a research project that seeks to audit BWC footage and MNPd's monthly audits to ensure the program is running properly and with maximum safety protections.

License Plate Readers (LPRs) After COB voted to oppose the use of LPRs by MNPd, the COB issued several letters to Council raising various concerns about the technology. The COB then released an informational report comparing the legislation governing the use of LPRs.

ShotSpotter The COB released a report on ShotSpotter (a gun detection technology that Council has previously considered), including a review of the technology and the scientific literature on its efficacy, cost, and factors to consider in analyzing the cost-benefit of ShotSpotter.

Digital Evidence and Data Technician The newest staff position at MNCO, this cutting-edge role is specifically designed to monitor MNPd's LPR and BWC programs as a response to the increasing technologization of policing in the 21st century.

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.

D2022-001: After a TN Highway Patrol trooper checked on a man walking along I-65 in Nashville, the man displayed a box cutter. Multiple officers from MNPDP and other jurisdictions responded and surrounded the man at gunpoint. Nine officers, six from MNPDP, ultimately shot the man after he pulled a cylindrical metal object from his pocket. One MNPDP officer was decommissioned for his actions.

D2022-005: Officers were responding to a scene where a man was allegedly swinging tree branches at passing cars. After a brief conversation with the man, who was agitated and attempted to walk away on multiple occasions, he reached for something in his pocket. One officer then attempted to tase the man, which was unsuccessful. The man again walked away before turning around and advancing towards an officer. Both officers then shot and killed the man.



Need for Social Worker / Counselor

Regardless of whether the COB finds any evidence of officer misconduct during an investigation, complainants and their families often experience trauma from their encounter with MNPDP. 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 budgeted for and hired a Social Worker, who is responsible for handling call intake and directing complainants to the appropriate services and resources when necessary.



Image courtesy of Alex Kent, Tennessee Lookout



2022 Officer Firearm Report

OFFICER FIREARM REPORT

In 2021, officers used firearms at record rates: the ten shootings that year by MNPD officers are the most on record since the department began to track such events in 2005. In 2022, that figure was halved, though the COB still believes investigation into each incident is warranted. These statistics must be considered in context with the spike in gun violence seen in Nashville at the start of 2020, which finally appears to be tapering through 2022. 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
1/27/22, 3 PM, (A-Detail)	I-65 near Harding Place Nashville, TN	Yes	Following a TN Highway Patrol trooper checking on a man walking along I-65 in Nashville, he displayed a box cutter. Multiple officers from MNPD and other jurisdictions responded and contained the man at gunpoint. Nine officers, six from MNPD, ultimately shot the man after he pulled a cylindrical metal object from his pocket. One MNPD officer was decommissioned for his actions.	Multiple	White Male
6/2/22, 8:30 PM, (B-Detail)	700 Division St., Nashville, TN 37203	No, subject had injuries to his extremities	After a man allegedly shoplifted from a liquor store, he took the pistol of a security guard who he reportedly shot and killed. After retreating into the store, the man allegedly shot at responding officers who then shot and struck the man.	Multiple, both white	Black Male
8/12/22, 4:45 AM, (C-Detail)	110 University Court, Nashville, TN, 37210	No, subject was transported to hospital	MNPD's Task Force and the US Marshals were attempting to serve a warrant for criminal homicide. When the subject was asked to exit the residence he was in, he allegedly began firing at officers, who returned fire.	Multiple	Black 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
11/12/22, 2:30 AM (C-Detail)	200 Gallatin Pike, Madison, TN, 37115	Yes	At the scene of an earlier, nonfatal shooting that did not involve MNPD officers, a man lifted crime scene tape and entered the scene despite warnings from MNPD officers. After shooting at the officers, officers returned fire and fatally struck the man.	Multiple	Black Male
11/12/22, 6:00 PM (B-Detail)	8200 River Rd Nashville, TN, 37015	Yes	Officers were responding to the scene where a man was allegedly swinging tree branches at passing cars. After a brief conversation with the man, who was agitated and attempted to walk away on multiple occasions, he reached for something in his pocket. One officer then attempted to tase the man, which was unsuccessful. The man again walked away before turning around and advancing towards an officer. Both officers then shot and killed the man.	Multiple	White, Male

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

OFFICER FIREARM REPORT

Demographics of Officers and Subjects in Officer Shootings

MNPD Officers

Race or Gender	Sworn MNPD Officers	Officers Who Discharged Firearm
White	80%	13 Officers (92.9%)
Black	11%	1 Officer (7.1%)
Women	12.5%	0 Officers

*Note that the total number of officers who fired is greater than the number of events, as multiple officers fired at several events. Note also that officers from other jurisdictions involved in the same shootings are not counted here.

Subjects

Race	Victims of Police Shooting	Subjects of Force*	Overall Nashville Population**
White	2 Victims (40%)	42.2%	56.4%
Black	3 Victims (60%)	56.6%	27.2%

*Per MNPD's Use of Force Dashboard from 2022

**Per 2022 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)	1
B-Detail (2:30 PM - 11 PM)	2
C-Detail (10:30 PM - 7 AM)	2

OFFICER FIREARM REPORT - PRECINCT

2022 Shooting Locations

Race

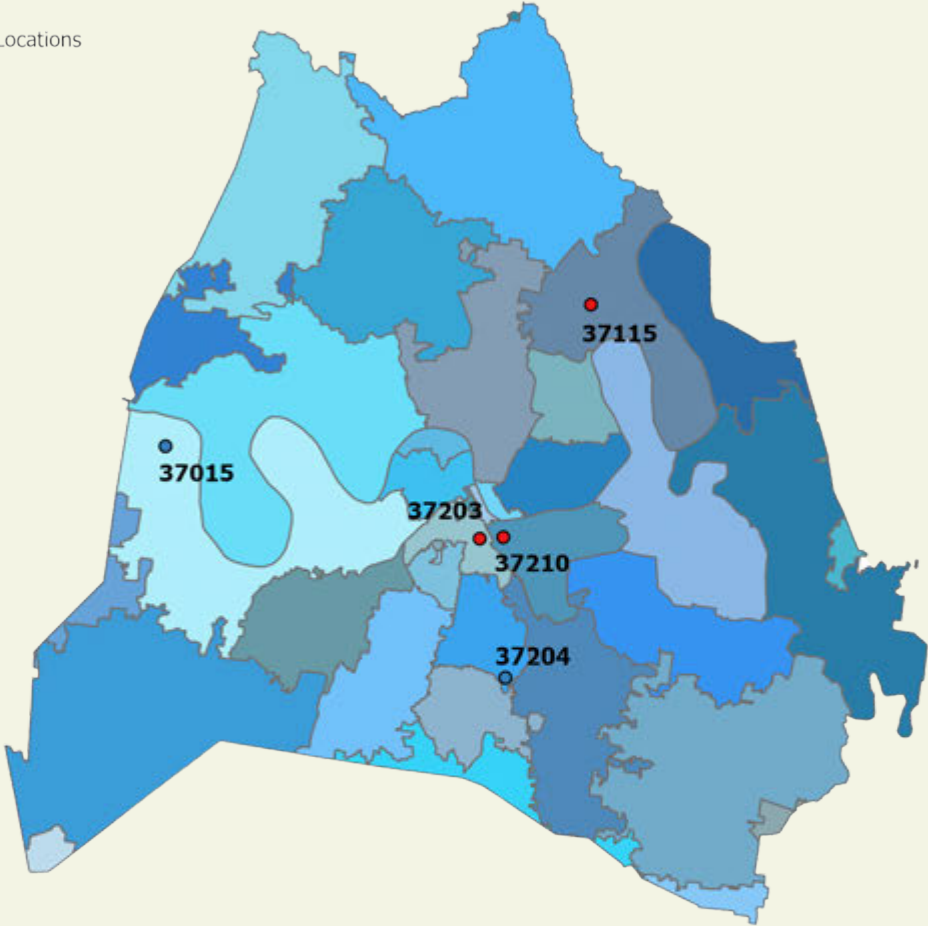
- Black
- White



Precinct	Number of 2022 Shootings
West	1
Madison	1
Central	1
Midtown	1
Hermitage	1

OFFICER FIREARM REPORT - ZIP CODES

2022 Shooting Locations
Race
 • Black
 • White



Zip Code	Number of 2022 Shootings
37115	1
37015	1
37203	1
37210	1
37204	1

APPENDIX

Below are summaries of each of the proposed resolution reports presented to the board in 2022. For full versions of the reports, visit nashville.gov/departments/community-oversight/proposed-resolution-reports

Case Number	Allegations	Case Summary	Findings	MNPD Response
D2020-002	Excessive Use of Force; Adherence to Policy; Taser Deployment	The complaint alleged excessive use of force against two MNPD employees. Two officers came to the Complainant’s residence due to a domestic assault call with weapons drawn; both fired Tasers, and Officer-2 shot Complainant in the leg.	Excessive force not sustained, Adherence to Taser Deployment policy sustained for Officer 1. Excessive Use of Force, Adherence to Policy both for Taser Testing and Taser Deployment sustained for Officer-2.	Chief Drake rejected all findings of the Board.
D2020-003	Use of Force Review	There was a 911 call regarding an off-duty police officer being shot. In the subsequent pursuit, multiple shots were reported coming from the suspect’s car. After a spike strip punctured the vehicle’s tires, the driver exited the vehicle, turned, and pointed a handgun at Officer-1, firing twice. Three officers returned fire.	No Deficiencies Identified	The Chief agreed with all findings.
CC2021-039	Obstruction of Rights; Discourtesy; Conduct Unbecoming	Complainant filed a complaint with MNCO alleging that three MNPD Officers violated his rights by entering his residence on July 5, 2021 without knocking. The Complainant further alleged that the officers continue to harass him by showing up at his apartment and knocking on his door without a valid purpose.	All allegations were determined to be unfounded.	The Chief agreed with all findings.

Case Number	Allegations	Case Summary	Findings	MNPD Response
CC2020-025	Excessive Use of Force; Discourtesy; Conduct Unbecoming; Obstruction of Rights; Adherence to Rules: Vehicle Block	Complainant alleges that after being trailed by MNPD officers en route home, his car was rammed from behind while parked. He was afraid to exit the vehicle, and had a back-and-forth with an officer that he felt was discourteous and unbecoming. While the officer ran his ID, he became concerned for the safety of his one year old child, who was still in the car with him.	Finding of Excessive Use of Force for Officer-1 was sustained; all other findings were not sustained.	The Chief agreed with all Not Sustained findings; ruled 'Cannot Impose' for one sustained finding.
CC2021-045	Harassment; Obstruction of Rights	Complainant reported to MNCO that an employee with MNPD harassed her and had her involuntarily committed.	Neither finding was sustained.	The Chief agreed with all findings.
CC2021-043	Obstruction of Rights; Discourtesy; Conduct Unbecoming; Discrimination	Complainant reported that an employee with MNPD was discourteous, lacked professionalism, racially profiled her, and falsely arrested her for theft of services.	Findings of Discourtesy and Conduct Unbecoming were Sustained; findings of Obstruction of Rights and Discrimination were not sustained.	The Chief agreed with all findings.

Case Number	Allegations	Case Summary	Findings	MNPD Response
CC2021-017	Obstruction of Rights; Discourtesy; Conduct Unbecoming; Deficient Performance of Duties	The Complainant alleged that an incident occurred on her property where an individual pulled a gun on her boyfriend, and police were called. The allegations are against the two officers who responded and the officer who is doing the follow-up investigation. The Complainant alleges that nothing has been done on her case in that the individual has not been arrested, and she believes the MNPD officers are protecting the person accused because of his status as a former police officer.	All allegations were determined to be unfounded.	The Chief agreed with all findings.
CC2021-018	Discourtesy; Deficient Performance of Duties; Obstruction of Rights	Complainant reported to the MNCO that after having his vehicle stolen and being assaulted, he called 911, and Officers were discourteous, did not investigate his requests for help, and arrested the Complainant falsely.	All allegations were determined to be unfounded except for Deficient Performance of Duties, which was sustained.	The Chief agreed with all Unfounded findings, and disagreed with the one Sustained finding.
CC2021-003	Excessive Use of Force	Complainant alleges Officer pointed a handgun at her when she drove up to pick up her granddaughter who had been involved in a traffic accident.	The allegation was sustained.	The Chief said that he could not impose the finding.

Case Number	Allegations	Case Summary	Findings	MNPD Response
CC2021-005	Adherence to Rules; Deficient Performance of Duties; Conduct Unbecoming; Discourtesy	Complainant alleged that she, her husband, and their two grandchildren were victims of a hit and run incident by a drunk driver. Complainant alleges that two MNPD employees who responded to the incident and conducted the on-scene and follow-up investigation both failed to provide her with updates, failed to investigate adequately and allowed the alleged driver to escape prosecution. Complainant further alleges that Officer-2 did not pursue the investigation as vigorously due to the Complainant's race and was unprofessional and discourteous.	The allegations of Adherence to Rules and Deficient Performance for both officers were sustained; allegations of Conduct Unbecoming and Discourtesy were Not Sustained.	The Chief accepted the findings of non-sustained. He rejected the finding that the Sergeant failed to appear, citing court blocks and other forms of excused absence.
CC2021-047	Obstruction of Rights; Excessive Use of Force; False Statements	Complainant was walking when he alleges an MNPD vehicle came around the corner, activated its emergency equipment and nearly struck him. The driver of the vehicle, Officer-1, allegedly got out of the car and immediately swung and hit the Complainant. After two other officers arrived, all three allegedly threw the Complainant onto the ground, kneed, and punched the Complainant while handcuffed. The Complainant was then allegedly arrested and charged without any justification.	All of the allegations were Not Sustained.	The Chief listed all findings as 'Matter of Record'.
CC2021-048	Obstruction of Rights; Deficient Performance of Duties	Complainant alleged that two Metropolitan Nashville Police Department employees were deficient in the performance of their duties and falsely arrested her.	All of the allegations were Not Sustained.	The Chief listed all findings as 'Exonerated'.

Case Number	Allegations	Case Summary	Findings	MNPD Response
<p>CC2021-029</p>	<p>Obstruction of Rights; Discourtesy; Conduct Unbecoming</p>	<p>Complainant was the driver of a vehicle that was shot at, which resulted in injury to her passenger. The Complainant alleges that the Detective who responded failed to effectively investigate the case, resulting in no arrests. The Complainant further alleges that during a meeting with the Detective, Sergeant-1 and Lieutenant-1, all three employees lacked professionalism, and the Lieutenant was discourteous.</p>	<p>The allegation of Discourtesy against the Lieutenant was sustained; all other allegations were Not Sustained.</p>	<p>The Chief agreed with all Not Sustained findings, and disagreed with the Sustained finding.</p>
<p>CC2021-012</p>	<p>Obstruction of Rights; Discourtesy; Discrimination; Conduct Unbecoming</p>	<p>Complainant alleged that an employee with MNPD was rude, used an aggressive tone toward her that he did not use toward her neighbors who were of a different race, kicked her property, and detained her in violation of her rights.</p>	<p>Allegations of Obstruction of Rights, Discourtesy, and Conduct Unbecoming were Sustained. The Allegation of Discrimination was Not Sustained.</p>	<p>Pending</p>

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