

Community Review Board
MEETING MINUTES
Monday, February 24, 2025 at 5:00 pm
Howard School Building, Sonny West Room
700 2nd Ave, S., Nashville, TN 37210

Attendees:

- **Board Members in Attendance:** Chair Walter Holloway, Joe Brown, Heather Meshell, and Walter Searcy.
- **Absent:** Board Members Alisha Haddock, Shawn Whitsell, and Mark Wynn
- **CRB Staff in Attendance:** Jill Fitchard (Executive Director), Kim Risby (Assistant Director), and other staff members.
- **Others:** Attorney Frank Brazil of Brazil Clark, PLLC and members of the public.

1. Call to Order:

- a) Chair Holloway called the meeting to order.

2. Reading of the Appeals Statement:

- a) Attorney Frank Brazil of Brazil Clark, PLLC, read the appeal statement pursuant to Section 2.68.030 of the Metropolitan Code.

3. Establish Quorum:

- a) Chair Holloway confirmed the presence of a quorum.

4. Approval of Minutes:

- a) Board Member Searcy moved for the approval of the January 27, 2025, minutes. Board Member Brown seconded the motion, and it was approved unanimously.

5. Chair Remarks:

- a) Chair Holloway said a prayer for everyone who has lost homes due to fires, and floods. He also prayed for financial funding for Historical Black Colleges and universities (HBCUs) and the Metro public school system.

6. Public Comment:

- a) There was 1 public comment.

7. Executive Director's Report:

- a) Executive Fitchard provided updates on the Community Review Board (CRB) meetings. She informed the public that the CRB general board meetings are held on the 4th Monday of each month.
- b) ED Fitchard informed the Board that the next Metro Department Head meeting is on Thursday, 02/27/2025.
- c) ED Fitchard informed the Board that the CRB received 5 citizen complaints, 1 officer commendation, and multiple calls involving inquiries and referrals since the January 24, 2025, meeting
- d) ED Fitchard informed the Board that the CRB has been trying to work alongside the Office of Police Accountability (OPA) with Commander Starling to receive body-worn camera requests in a timely manner.
- e) ED Fitchard informed the Board she has asked the CRB Research Team to review the Immigration Advisory Report. which was created when the CRB was formerly the Community Oversight Board (COB) for possible updates due to our current climate. The report is to help officers understand what documentation looks like in the community and to give the immigrant and refugee communities some solace when interacting with officers.
- f) ED Fitchard reminded the community that the CRB is located on the 13th floor of the L&C Tower, at 401 4th and Church Street, Nashville, TN 37219.
- g) ED Fitchard announced to the Board her appointment to the Executive Board of Directors for the National Organization for Civilian Oversight of Law Enforcement (NACOLE) as a Board Member At Large representing the state of Tennessee and

8. Board Discussion:

- a) Sexual Misconduct Policy Advisory Report Update
 - 1) NCRB Senior Researcher Potter gave the Board a presentation of the Sexual Misconduct report and the response received from Metro Human Resources regarding adding the CRB Sexual Misconduct Policy Report to MNPd's policies.
- b) Investigation Status of the MNPd 61-page Complaint:

- 1) ED Fitcheard informed the Board she and Board Member Haddock met with Attorney Edward Stanton III and his team at Butler Snow, PLLC twice in June and July of 2024.
- 2) ED Fitcheard informed the Board that Attorney Edward Stanton III with Butler Snow, PLLC declined to schedule a meeting in October or November during the investigation; however, he would schedule a meeting as soon as the investigation was complete.
- 3) ED Fitcheard read the letter written by Board Member Haddock asking Attorney Stanton III for updates on the investigation of the 61-page complaint.
- 4) Board Member Brown moved for a motion to discuss the 61-page compliant report at the next executive board meeting on Wednesday, March 12, 2025. Board Member Searcy seconded the motion, and it was approved unanimously.

c) Tennessee Bureau of Investigation MOU Update:

- 1) Attorney Brazil updated the Board regarding approval of the Tennessee Bureau of Investigation (TBI) Memorandum of Understanding (MOU) with the CRB. Attorney Brazil informed the Board they are very close to finalizing a draft, noting that most comments have been resolved. He also noted they are awaiting the Metro Council's approval of the last few tweets for a resolution as soon as possible.

d) NCRB OPA Case Reviews:

- 1) NCRB CC 2023-028 ED Fitcheard presented to the Board a Compliance Review Report (CRR) with the NCRB findings. Assistant Director Risby's recommendation concludes that the Officer acted in compliance with MNPd's policy. The OPA investigation is complete, and the findings were satisfactory, however, NCRB recommends that the Officer receive sensitivity training to ensure there is no misinterpretation of his actions as discourteous when providing service to the community. It is also recommended that OPA provide a date of notification for the complainant and the officer, as the OPA report did not reflect this information. It is further recommended that OPA clearly outline its policies on complaints that are closed after a "Preliminary Investigation" or deemed "Matter of Record." Board Member Brown moved for the approval of report CC2023-

028. Board Member Meshell seconded, and the motion was approved unanimously.

- 2) NCRB CC 2024-001 ED Fitchard presented to the Board a Compliance Review Report (CRR) with the NCRB findings. ED Fitchard's recommendation concludes that the Officer violated MNPDP Policy 08.30.080; Employees will record police activity. OPA's recommendation for Action 1) Sustained and Action 2) Exonerated. The OPA investigation is complete, and the findings were satisfactory. NCRB recommends the following: 1). To the extent possible, that OPA investigators ask open ended questions (who, what, when, where, how, and why) as outlined in OPA SOP 4.11, General Interview Techniques. 2). It is strongly recommended that MNPDP develop a policy that creates rules, regulations, procedures, and ethical responsibility centered on officers' duties to report benevolent and charitable donations to individuals while on duty. 3). It is recommended that the policy related to **MNPDP Manual 6.20.030 Impoundment Authority** be updated to include mandatory reporting and documentation that shall be given to any civilian who is subject to a tow, and they be made aware of the upfront cost for towing and daily storage, choose the location where they want the vehicle towed, sign a release stating that they give authorization to the towing company, if applicable, and have a contact number and location of the towing company that is servicing their vehicle. Board Member Brown moved to amend report CC 2024-001 to include a 4th recommendation that MNPDP Chief Drake thoroughly review the conduct of this Officer. Board Member Meshell seconded, and the motion was approved unanimously.
- 3) NCRB CC 2023-037 ED Fitchard presented to the Board a Compliance Review Report (CRR) with the NCRB findings. OPA findings for violation 1 are unsatisfactory. OPA's recommendation for Violation 1 is not sustained. Recommendation for Violation 2 is sustained. Recommendation for Violation 3 is sustained. ED Fitchard's recommendation concludes that the Officer 1 was deficient and inefficient in the performance of duties. OPA's investigation is satisfactory, thorough, and complete. ED Fitchard concluded that the traffic investigator Officer did a thorough and outstanding job identifying the suspect driver and following up with appropriate actions, and the OPA investigator followed the policy guidelines when making his recommendations. ED Fitchard recommends that MNPDP policy related to an officer's performance of duty, specifically, deficiency or inefficiency, should be updated in such a way that supervisors can address performance issues when they arise, and not solely rely on a documented pattern or practice of behavior before bringing fair, ethical and resolute discipline measures that commensurate with the examples given in MNPDP Manual (F) deficient or inefficient performance of duties.

- 4) Board Member Brown moved to accept the approval of report CC2023-037 with modification to admin recommendation for MNPD Chief Drake personally review the officer's conduct. Board Member Searcy seconded, and the motion was approved unanimously.

9) New Business/Announcements:

- a) No new business.

10) Adjourn:

- a) Meeting adjourned 7:10 pm