



# Behind the Report: A Community Guide to the 61-Page MNPB Whistleblower Complaint Investigation

*Prepared by the Metro Nashville Community Review Board*

*A plain-language summary of Butler Snow LLP's independent review of a 2024 complaint filed by a former Office of Professional Accountability lieutenant regarding the Metro Nashville Police Department. This summary is informational only and does not include findings from the Nashville Community Review Board related to the allegations raised.*

## Origins of the Investigation:

In May 2024, Gareth Davidson, a retired Metro Nashville Police Department (MNPB) lieutenant who worked in the department's Office of Professional Accountability (OPA), filed a 61-page written complaint with OPA and sent a copy to Mayor Freddie O'Connell and the NCRB. Davidson alleged a lack of transparency and accountability at MNPB.

The complaint covered nine main topics, including:

- How the department investigates and disciplines officers, and whether high-ranking officers get easier treatment than lower-ranking ones;
- Whether performance evaluations accurately reflect officers' work;
- MNPB's role in a 2023 state law that abolished Nashville's Community Oversight Board, which has since been replaced with the current NCRB;
- A reduction in recruit training time;
- Whether body worn camera footage showing misconduct leads to discipline;
- Delays in standing up a specialized "Force Investigation Team" (FIT) to review officer-involved shootings and other uses of force;
- Enforcement of the department's zero-tolerance policy on sexual harassment and discrimination; and
- Whether MNPB follows through on outside recommendations for reform.

To conduct an independent investigation of these allegations, Metro Nashville hired Butler Snow LLP, a law firm, in June 2024. The mayor's office directed that Butler Snow have access to records from Metro Legal, MNPB, Metro Human Resources, and the NCRB.

## Scope of the Investigation:

Butler Snow's assignment was specific: for each of Davidson's nine allegations, establish the facts of what happened, and determine whether MNPB violated any of its written policies. This was not an evaluation or review of MNPB's current policies as "good" or "bad" practice. Rather, it was primarily a check on whether those existing rules were followed.

To do this, the investigative team reviewed:

- Davidson's full 61-page complaint and supporting materials;
- Thousands of pages of personnel files, emails, disciplinary case records, and department policy manuals;
- The MNPB Manual, which sets out department rules, disciplinary procedures, and a "Disciplinary/Corrective Action Grid" used to determine sanctions; and
- Interviews with MNPB employees and command staff.

### Effect of the Covenant School Document Leak Investigation on Butler Snow's Review

In Fall 2024, Butler Snow was served with search warrants connected to a separate criminal investigation involving Mr. Davidson and the alleged leak of documents related to the Covenant School shooting. These warrants paused witness interviews for several months while the criminal investigation was active, and permanently barred investigators from asking any MNPB officer about the alleged Covenant School photo leak, which was part of one of Davidson's allegations. As a result, that specific piece of the complaint could not be confirmed or ruled out either way.

## The Nine Allegations at a Glance:

The table below summarizes what Davidson alleged and what Butler Snow concluded after reviewing the evidence.

#	What Was Alleged	Butler Snow’s Findings
1	Assistant Chief Mike Hagar showed poor judgment and favoritism in handling several officers’ discipline cases, undermining accountability.	No evidence of policy violations in the specific cases reviewed. The Covenant School document leak allegation could not be investigated due to the search warrant.
2	MNPD has an unwritten practice of “rank bias” — treating higher-ranking officers more favorably than lower-ranking officers for similar misconduct.	No evidence that discipline outcomes are driven by rank. Differences in case outcomes were tied to differences in the facts of each case, not rank. One documentation gap was identified in a single case.
3	MNPD’s annual performance evaluation process pressures supervisors to give inflated or inaccurate scores to underperforming officers.	Some supporting evidence found. Interviews indicated supervisors sometimes avoid accurate “needs improvement” ratings. Additional supervisor training recommended.
4	MNPD leadership secretly helped pass a 2023 state law that replaced Nashville’s Community Oversight Board with a police advisory committee, and plans to eliminate the civilian-led OPA director role.	No evidence MNPD lobbied for the law. MNPD not replacing the OPA director with another civilian is not a policy violation under current rules.
5	Cutting recruit academy training from 23 weeks to 19 weeks (and reducing field training time) hurts new officers’ readiness.	MNPD training still meets and exceeds the minimum hours required by Tennessee’s POST Commission. No policy violation found.
6	Supervisors fail to discipline officers for misconduct caught during monthly body-worn/in-car camera (BWC/ICC) audits.	Current policy does not require discipline for “minor” misconduct found in audits. Report flags that the Manual doesn’t clearly address what should happen for more serious misconduct identified this way.
7	MNPD told the Community Oversight Board and Mayor’s office that its Force Investigation Team (FIT), which reviews serious uses of force, was operating before it actually was.	Some FIT-related work (e.g., meetings on officer-involved shootings) was happening by 2022, though full staffing came in early 2024. MNPD could have communicated FIT’s status more precisely.
8	MNPD does not enforce its zero-tolerance policy on sexual harassment/discrimination, doesn’t adequately support employee-victims, and lets repeat offenders continue.	No documented policy violation found in the cases reviewed. MNPD Manual gives command staff broad discretion over discipline, including for these violations.
9	MNPD ignored reforms recommended by Mayor Cooper’s 2020 Policing Policy Commission.	Allegation found too vague to evaluate. Records show MNPD responded to and implemented several of the Commission’s recommendations.

## Five Key Findings in Detail

### 1. Rank Bias

Rank bias was a central theme of the entire 61-page complaint. For example, a case involving a lieutenant who received a reduced suspension after a DUI-related incident was compared to a case where a lower-ranking detective was involved in an off-duty altercation. The investigators concluded that differences in outcomes tracked differences in the facts of each case (for instance, whether someone admitted wrongdoing and proposed a settlement before an investigation even began), and therefore the outcomes were not solely attributable to the officers' ranks.

### 2. Disciplinary Settlements: A Common Practice

Many of Davidson's examples involved officers settling disciplinary cases before a formal hearing, often for lighter sanctions. Butler Snow found that settling cases before a hearing is explicitly preferred under MNPB policy, is used by officers across all ranks (a department spreadsheet showed most settled cases from 2021–2023 involved officers at Sergeant rank or below), and is described in detail in the MNPB Manual. That said, the report recommended two changes:

- (1) MNPB should resolve a conflict between two Manual sections that give different timelines for when settlements can occur.
- (2) MNPB should improve its recordkeeping on why specific settlement terms were reached.

### 3. Performance Evaluations

Davidson alleged that supervisors are discouraged from giving accurate "failing" scores. Butler Snow reviewed years of evaluations for several officers named in the complaint and did not find

documented policy violations in those specific files. However, interviews with MNPB personnel corroborated the broader concern: at least one interviewee said it is easier for supervisors to avoid evaluating employees harshly, in part out of concern about how low scores affect an officer's pay. Butler Snow recommended reinforcing existing supervisor training on the evaluation process.

### 4. The Force Investigation Team

The FIT is the unit responsible for reviewing serious uses of force, including officer-involved shootings. Davidson alleged MNPB misrepresented to oversight bodies that the FIT was operational before it actually was. Butler Snow found that some FIT-type work such as coordinating responses to officer-involved shootings was happening as early as 2022, even though the team wasn't fully staffed with dedicated investigators until early 2024. The investigators concluded MNPB "probably could have been more precise" in how it described the FIT's status, though this fell short of a documented policy violation.

### 5. Recruit Training Cuts

Recruit academy time was shortened from roughly 23 weeks to 19 weeks, with some training shifted into the field-training phase. Butler Snow compared MNPB's curriculum to Tennessee POST Commission requirements (the state minimum for police certification) and found MNPB's training still meets or exceeds every required category, including firearms, patrol procedures, and use-of-force training. End-of-course trainee surveys showed mostly positive feedback, though some trainees suggested more time on patrol tactics and traffic stops.

## Policy Gaps and Recommendations

While Butler Snow did not find that MNPB broke its written rules in most of the specific cases examined, the report identified several areas where policies are unclear, inconsistently followed, or could be strengthened. Below are Butler Snow's recommended changes to MNPB's policies going forward:

- Clarify conflicting settlement-timing rules: Two sections of the MNPB Manual give different answers for when a settlement agreement can be reached, which the report says is likely confusing to officers. (*MNPB Manual 4.10.160(E)(5), 4.10.170(B)(12)*)
- Improve recordkeeping on settlements: MNPB should better document the reasoning behind settlement terms in disciplinary cases, to support consistency and public confidence in the process.
- Strengthen evaluation training: Given evidence that some supervisors avoid giving accurate low scores, MNPB should reinforce required training on the annual evaluation process.
- Clarify body worn camera audit policy for non-minor misconduct: The Manual addresses "minor" misconduct found during BWC/ICC audits but does not specify what should happen when audits reveal more serious issues. The report recommends closing this gap.
- Communicate FIT status more precisely: MNPB should ensure that updates to the Community Review Board, the Mayor's office, and the public about specialized units like the FIT accurately reflect staffing and operational status.
- Close documentation gaps: In at least one case (involving a civilian employee), Butler Snow could not locate a required complaint form, suggesting a need for more consistent documentation of investigations referred to mediation.
- Review the "transfer instead of investigation" pattern: At least one interviewee described a perception that some supervisors facing performance complaints are transferred rather than formally investigated. Butler Snow could not confirm specific cases, but flagged this as an area warranting continued attention.

## Conclusion

It's important to understand the nature of Butler Snow's conclusions. In nearly all the specific cases examined, the investigators found that MNPB's actions were consistent with its written policies, even in instances that the original complainant viewed as troubling. This is largely because the MNPB Manual gives command staff broad discretion over how misconduct is charged, investigated, and sanctioned, and because disciplinary settlements (rather than formal hearings) are the department's preferred way of resolving cases.

At the same time, several allegations could not be fully resolved either because the search warrant limited what investigators could ask, because records were incomplete, or because the underlying conduct (such as informal pressure or unwritten practices) is difficult to prove through documents and interviews alone.

The report's most concrete, actionable outcomes are the specific policy clarifications and recordkeeping improvements listed above. The NCRB will continue to follow whether and how MNPB implements these recommendations, particularly around settlement documentation, body-camera audit follow-through, and supervisor evaluation training.

*This summary is based on the full Butler Snow LLP investigative report. Readers are encouraged to consult the original report for complete findings, case-by-case detail, and the specific MNPB policy provisions discussed.*

<https://nashvillebanner.com/wp-content/uploads/2025/12/Butler-Snow-Investigative-Report-N0734450xD719A.pdf>