

REPORT OF THE GRAND JURY

APRIL TERM, 1999

to

**The Honorable J. Randall Wyatt, Jr.
Judge, Division II, Criminal Court
Davidson County, Tennessee**

The April Term ran from April 12 through June 25, 1999 and approximately 750 cases were presented.

As Grand Jurors, we experienced quite an education regarding crime in our area. We were shocked to learn that illegal drugs would have such a high degree of involvement in our cases; approximately 90% were drug related. We detected frustration from many of our law enforcement officers regarding punishment for drug related offenses. Many times, the offender would be back on the streets almost immediately. We must become more effective in dealing with drugs in our community; the future well-being of our city depends on it!

We recommend that the Grand Jury be given more detailed instruction at the start of the term regarding the specific laws relating to drug possession and drug possession for resale.

With the influx of foreign residents in Davidson County, we feel education regarding spousal abuse is needed when they arrive here. We heard cases where foreign customs were in conflict with our laws on this subject. Often, their customs require wives to be totally submissive to their husbands and abuse is allowed and customary. Our laws do not permit this and many new residents are not aware until they are charged with a crime for this behavior.

The Grand Jury was petitioned by Mr. Dennis Tomlin, an attorney, to appear before a panel which Mr. Tomlin selected, consisting of Ms. Lara Dixon, Ms. Mary Anne Dunlap and myself. This was for the purpose of presenting documentary evidence of an interstate criminal conspiracy to defraud his client of her legal share of an estate and so that he could then be allowed to appear before the entire body of the Grand Jury. The panel met with Mr. Tomlin on June 1, 1999 and it was the unanimous determination of the panel that his allegations did not warrant investigation by the entire Grand Jury and his application was respectfully denied. The panel felt that the Davidson County Grand Jury was not the appropriate place for these charges to be investigated.

The District Attorney General asked us to review the circumstance surrounding the arrest of Russell Frohmuth by officers of the Metro Police Department. This occurred in the early morning hours of Aug. 31, 1998 at the Green Hills Post Office. We heard presentations from General Johnson and Investigator Mike Smith of the Internal Security Division of the Police

Department. We also viewed a video tape of the arrest which was filmed by a local television station. General Johnson determined that the actions of the officers were reasonable and necessary in order to take Mr. Frohmuth into custody since he resisted their efforts to arrest him. The Grand Jury concurs with General Johnson's decision and believes that no criminal charges are warranted.

It has been an honor and an enlightening experience to serve on the Grand Jury. To quote one of the jurors, "I never knew the importance of the citizen's role until now. It's been a real 'eye opener.' It takes good listening skills and a lot of questioning to arrive at the best decision in each case."

We commend our Metro Police officers for their hard work and dedication.

We would like to thank District Attorney Torry Johnson and his professional staff, especially June Armstrong, Georgia Smith and Sandra Mullens. Also, we appreciate the assistance provided by the Assistant District Attorneys who were so helpful with explanations and clarifications.

We especially want to thank Judge Randall Wyatt and his staff for their help and support, particularly Linda Hoffman and Ed Lambert.

Respectfully submitted,

James A. Curley, Jr.
James A. Curley, Jr.
Foreman

Nathan Brown

Anna O'Brien

Sherry S. Brown "Poppy"

Yvonne Shelton

Martin Jackson, Jr.

Mary A. Dunley

John W. English

John Hunt

Donald F. Wood

Margie Cullen-Smith

Ruth E. Harris

Theresa Britt

Ed A. Wilson

in her absence