

Grand Jury Final Report

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

April 2012 – June 2012



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Foreperson

Armer, Sharon

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Hulan, Jerry

Lomas, Barry

McClanahan, Patricia

Mitchell, Kyna

Pena, Patricia

Schwarz, Shannon

Simpson, Whit

Stewart, David

Vickroy, Barbara

Introduction

We, the Davidson County Grand Jurors for the April 2012 term, duly submit the following summary as a conclusion to our three months of service under The Honorable Judge J. Randall Wyatt, Jr. In accordance with Tennessee Rules of Criminal Procedure, the Grand Jury deliberated upon a record breaking 1,004 cases. We were able to present to the court xxx True Bills and xxx No True Bills.

Preparation

The Davidson County Grand Jury for the April 2012 term was prepared for service with an introduction to law by current Attorney General Tory Johnson and staff; Sgt. Michael Shreeve, CSA; Sgt. Gene Donegan, Drug Task Force; Officer Mark Anderson, Gangs Unit; Officer Harold Taylor, Traffic Unit; Sgt. Rickert and Detective Sneed, Domestic Violence Unit; and the Honorable Judge Angelita Dalton, Division III and the Honorable Judge Dianne Turner, Division V.

The Davidson County Grand Jury also had the opportunity to meet with Mayor Karl Dean to discuss the upcoming budget proposal and the impact on the legal process. Also, Police Chief Steve Anderson was gracious enough to spend time with the Grand Juror discussing the "streets" of Nashville and the focus of the Metro Police Department as it relates to investigations, evidence gathering, and supporting the efforts of our District Attorney's office.

Field Trips

- Police Training Academy (K-9, Aviation, SWAT, and Bomb Squad)
- Riverbend Maximum Security Facility

- Drug Court
- Juvenile Justice Center
- Metro Police Department Compstat

Cases

The Grand Jury was given the charge of hearing and determining whether sufficient evidence existed to bring cases to trial ranging from an overwhelming number of DUI, domestic violence, drug, sexual assault, assault and battery, and murder. When warranted, several “sealed indictments” were presented and within minutes of delivering, the Criminal Court judge signed for immediate action by the SWAT team which further illustrated the necessity of the work we concluded over the past three months.

Several Grand Jurors spent hours in the court room watching prosecution of cases that passed through the legal process in Davidson County. Everything from first degree murder to simple assault and DUI were observed. Grand Jury members were acknowledged by several judges from the bench in Criminal Court and General Sessions Court. We were all very impressed with the fairness of the justice being dispensed in our legal system.

The most interesting case observed was the Murder trial of Scooby Do’s killing of JFK (alias). The prosecution always took time to answer questions from the Grand Jury members in the court room before and after the trial, which was very informative and allowed Grand jury members to participate in the justice process from beginning to end.

The Grand Jury was surprised of the numerous DUI and drug cases presented during this term and have noted recommendations for consideration below.

The Davidson County Grand Jury also gained insight and awareness about the scope and depth of domestic violence, particularly Intimate Partner Violence. Tennessee is the 5th highest state in the nation for female deaths at the hand of a husband or partner and in the course of the Grand Jury, as previously stated numerous cases have come before us this term.

In a 2006 report to the General Assembly, the Tennessee Economic Council on Women estimated that domestic violence costs Tennessee companies \$10 million per year in paid work time due to related injuries and this does not include time off for court testimony, obtaining an order of protection or receiving attention from medical and/or legal professionals. Further, the report states that known domestic violence related cases in Tennessee are costing over \$33 million in healthcare which ultimately is paid by Medicaid, private or group insurance, public resources (i.e. free clinics) or out-of-pocket by the victim. Tennessee spends almost \$15 million per year in prison costs for homicides caused by domestic violence.

Domestic violence crosses various social, economic, racial backgrounds. The responsibility for addressing domestic violence and its negative impact on the community is shared with the healthcare industry, education system, and clergy. The Grand Jury believes the greatest impact to reduce domestic violence lies within the criminal justice system. To that end, we challenge the Metro Police Department, the Office of the District Attorney, the Davidson County Sheriff Department, and the Davidson County Court to affirm domestic violence as a priority and to strive for greater innovation in this area and in essence impacting generations to come within the Davidson County community.

Recommendations

- Provide Grand Jury with a list of legal terms most commonly referenced during presentments.

- Implement stiffer penalties for repeat DUI (three strike rule), drug offenders, and sex offender registration violations, "Pill-Mill" doctors, and domestic violence offenders.
- Laminated map of Nashville for reference during hearings.
- Increase resources for domestic violence division.
- Create DUI court similar to drug and mental health court.
- Decrease the number of cases brought to grand jury on misdemeanor cases, which will allow for more pressing cases to proceed and decrease violent criminals on Nashville streets faster.
- The Juvenile Justice Center needs a roof over the recreation area where kids have recess. On days where the weather is bad, kids do not receive the necessary physical education for maintaining a healthy lifestyle. Also, it appears the center is nearing its capacity to continue to have adequate office space, cell space, and an educational wing.
- Implement stiffer penalties to those persons arrested for gang related offenses.

Remarks

The April 2012 session of the Grand Jury would like to extend our deepest gratitude to the following individuals:

- Sgt. David Liles
- Sgt. Robert Bandish
- Mel Harders, Grand Jury Coordinator
- Debbie Franklin, Division II Secretary
- Judge J. Randall Wyatt
- Assistant District Attorney

Without the guidance and assistance of these individuals the Grand Jury would have been unable to carry out the charge given this session.

Report duly submitted by:

Fossick, Stan, Foreperson

Armer, Sharon



Two handwritten signatures are shown above horizontal lines. The first signature is for Stan Fossick and the second is for Sharon Armer.

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