

Grand Jury Final Report

April Term – 2015

J. Randall Wyatt, Judge

Criminal Court Division II

Submitted on June 26, 2015

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 J. Randall Wyatt Jr., Judge Criminal Court Division II

**Grand Jurors:**

- Stan Fossick, foreperson
- E. Dirk Maxwell
- Brian Mitchell
- Larson Lawrence
- Kaye Alcorn
- LaVon Cannon
- Marcus Chavez
- Sloane DeBerry
- Marianna Heacock
- Christina McCoy
- Laura Smarr
- Nicki Vinson
- Janice Lamb
- Vicki Abernathy
- Jana Dennis
- Yvonne Dougherty
- Linda Guttery
- Thomas Meredith
- Sonya Northrup
- Sonya Petway-Edwards
- Jennifer Williams
- Jennifer Bender
- Bryan Osborne
- Paula Keith
- Deneen Owen
- Sarah Rowe
- William Walker

**Introduction:**

This summary is presented by the jurors for the April 2015 term. This Grand Jury heard cases during 31 sessions this term. Recommendations on bond amounts and charges were also made. Below is a summary of cases and results for this term:

<u>No True Bills</u>		Bound Over for Indictment	<u>True Bills</u>	
0			530	
<u>No True Bills</u>		Sealed Indictments	<u>True Bills</u>	
2			89	

**Preparation:**

Significant efforts were made to provide this grand jury with necessary information orienting us as we prepared to hear cases. Printed materials, speakers, and field trips provided us with a basic understanding of the criminal justice system and a base of knowledge that would be helpful as we heard cases.

**Printed Materials:**

In addition to the General Charge, we received an overview of the criminal justice system, a glossary of terms, and information from "Our Kids", the Warrant Division, the Drug Task Force and others in the Metro Nashville Police Department.

**Speakers:**

The following speakers shared valuable information with us.

Metropolitan Nashville District Attorney General's Office

- General Glen Funk
- General Michaela Mathews

Metropolitan Nashville Police Department

- Sgt. Shreeve, CSA Unit
- Det. Christopher Williams, Domestic Violence Unit
- Det. John Jackson, Domestic Violence Unit
- Officer Brad Nave, DUI Unit
- Lt. Jeff Bauer, Warrants Division
- Sgt. Danny Orr, Warrants Division
- Chief Steve Anderson

Other

- Sue Ross, RN with "Our Kids"

Field Trips:

- Police Training Academy
- River Bend Correctional Facility
- Metropolitan Nashville Police Department COMSTAT Meeting

Observations and Recommendations

- The time it has taken to bring some of the cases forward for indictment is quite lengthy. A number of the cases were in excess of a year old before being brought forward to the Grand Jury. This included some disturbing cases involving child abuse and sexual assault.
- The number of cases brought to the Grand Jury during this term was significantly below average based upon a review of prior Grand Jury reports. This term, one scheduled meeting of the Grand Jury was cancelled because no cases were ready to be heard. Additionally, in some meetings of the Grand Jury during this term only about half the normal number of cases were presented when compared to prior Grand Jury terms. Based upon discussion with police officials, it doesn't appear that the number of defendants or the types of cases being charged could explain the precipitous drop-off in cases. While we're unclear on the cause of this issue, there has been speculation that recent dismissals of Attorneys at the District Attorney General's office may have contributed. We are concerned that further delays may exacerbate the issue highlighted in our first observation.

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- The members of the Grand Jury observed significant inconsistency in bond recommendations for various defendants on sealed indictments. For instance, some defendants with less serious and non-violent offenses sometimes received bond recommendations in excess of defendants who were accused of serious and violent crimes. There should be some guidelines that ensure greater consistency and balance flight risk, seriousness of the offense (risk to the community) and the criminal history of the defendant.
- A significant number of the cases heard by this Grand Jury involved violent crimes such as aggravated assaults, aggravated robberies and various domestic assaults that were allegedly committed by defendants with long prior history of similar criminal offenses. This is concerning and made the jurors wonder about the effectiveness of prior sentences in rehabilitating the offenders or otherwise ensuring that they do not continue to subject the community and their victims to violent crimes.
- Most police officers who acted as witnesses before the Grand Jury were quite well prepared and organized. A notable example is Sgt. Robert Bandish who should be commended for his professionalism, preparation, organization and presentation of cases to the Grand Jury. This made the job of the Grand Jurors much easier in deciding whether to issue a “true bill” or not. The members of the Grand Jury saw first-hand how critical it is all law enforcement officers are skilled in organizing and presenting the facts of their cases. We therefore recommend that the police department to consider increasing officer training in organizing and presenting cases to the Grand Jury or in other criminal proceedings.
- Some of the cases that we heard would have been more appropriately handled in General Sessions court. It could be helpful to reduce caseload and ensure speedier trials if there were a way to drive DUIs and other similar offenses into General Sessions court at a higher rate.

**Presentments:**

One case resulted in no action because the facts simply didn’t support the allegation of rape.

**Remarks:**


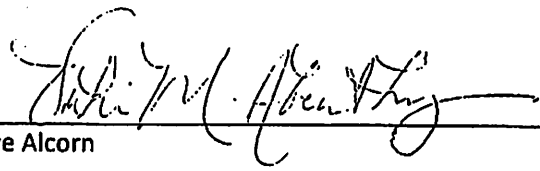

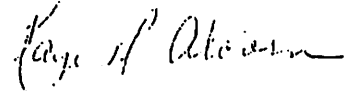
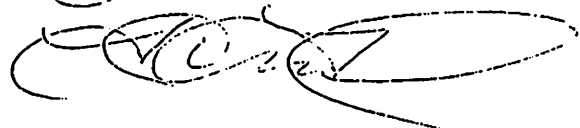



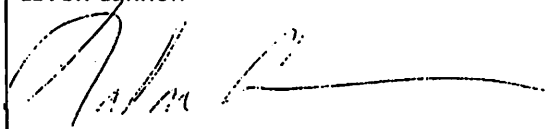

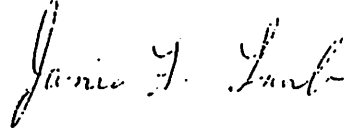
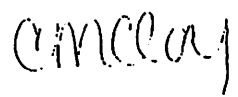

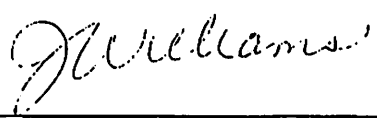
Stan Fossick was a tremendous inspiration and model of leadership, civic responsibility, integrity, kindness and friendship for the members of this Grand Jury. Although Stan suffered some significant health challenges during the term of this Grand Jury, the example he set early in the term always served as a benchmark and constant presence to guide us throughout the term. The donuts and lunch at Monell’s were pretty great too.

Our sessions were tremendously aided by the diligence of a number of key individuals. We would therefore like to thank the following individuals:

- Judge J. Randall Wyatt
- Sgt. Robert Bandish
- Mel Harders
- Lori Hooberry
- Officer Chad Turnbow
- Assistant District Attorneys & Staff

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