

**REPORT OF THE GRAND JURY
JULY TERM, 1999
TO
THE HONORABLE CHERYL BLACKBURN
JUDGE, DIVISION III, CRIMINAL COURT
DAVIDSON COUNTY, TENNESSEE**

As foreman of the July term of the Davidson County Grand Jury, it has been my privilege to work with an exceptionally hard-working, dedicated, conscientious and thoughtful group of citizens which made up the panel of 12 "regulars" and the few alternates we needed. While we didn't always agree, and some of our disagreements could be called heated, we were united in a desire to do the right thing by our fellow citizens and our community at large. Each of us took our roles very seriously, and we learned a lot, not only about the criminal justice system, and our city, but about ourselves. I'm very proud to have worked with these fine individuals, and while it's been a huge commitment of time and emotional energy, they've handled it all with patience, compassion, and a lot of humor.

We've had a lot of help along the way and on behalf of the jury, I would like to specifically thank Donna Draper, Georgia Smith and Sandy Mullins. Additionally, I want to thank Mr. Stan Fossick for taking time to give me some pointers before I started.

I asked the group to individually write what they saw as the most pressing issues we've faced this term. These are condensed and outlined in the following paragraphs.

AT RISK CHILDREN, EDUCATION AND CRIME

Throughout our term, we've been struck by the correlation between early childhood experience, lack of education and crime. One juror cites A Corrections Today (criminal justice professional journal) article that makes the case that the future need for prison beds can be predicted in part by the number of children unable to read by the 3rd grade. Children growing up in homes with drugs, guns and criminal activity all around them are almost certain to continue that cycle into the next generation and beyond without some kind of intervention. Great improvements have been made in our school system, but much work still needs to be done to reach children while they are small. We realize that the police, schools and courts cannot do it all, and we hope to see more programs like Success by 6 and other non-profit groups, as well as the social work committee and juvenile court stay involved and work together to make this happen.

We also have great concern for the 25% of students who drop out of Metro Public Schools with the result often seen (unfortunately) by a Grand Jury. One juror (a teacher) writes, "Whether it is failing grades, standardized tests which cause retention, lack of nutrition, attendance policies, or refusal to allow extenuating circumstances in moving over-age students through the grades, all of these have a cumulative effect on the drop-out rate. These drop-outs then fall into bad decision making patterns, low self-image, and crime. Many of the crimes we observe begin with bad decision-making rather than simply bad morals.

We urge the Metro government, through its school system, to promote good citizenship by keeping the maximum number of students in school until graduation."

We were pleased during our tour of the Juvenile Justice Center to be informed by Judge Green, herself, that more attention is being paid to truancy under her administration and it was encouraging to talk with someone in her position with so many good ideas and plans for helping children and getting them back on track. On a more somber note, it is disheartening to note how woefully inadequate the Juvenile Justice Center building is since it is more or less brand new.

MENTAL ILLNESS

We were very interested in the plight of individuals with mental illness who wind up in jail for anything from misdemeanors on up. Based on interviews with social workers with the Metro Public Defenders Office, and the experience of one of our own who works with a non-profit that deals with mental illness, as well as substance abuse, we concluded that Nashville has a long way to go in how Metro deals with these individuals. Because of the gradual decline of services available, such as monitoring, beds for those who need to be hospitalized, and day treatment programs, many are languishing in our jail and even in prison when they really should be receiving treatment. Many could be productive with the right medicine and the right kind of monitoring to be sure the medicine is being taken. We hope that the Mental Health Cooperative will work harder to provide these desperately needed services, and perhaps, link up with the non-profit and private sector to expand and enhance existing services for the mentally ill caught in the criminal justice system.

DRUG RELATED CRIMES

One juror writes, "The amount of drugs and drug related crime in Nashville is astounding. If the cases were not that of drug possession or resale, they were robberies, assaults, and even murders that were the direct result of drug addiction, whether to get money to buy drugs or drug deals gone bad." The police do an excellent job with the resources they have, but we feel more

manpower is needed to target this insidious plague and repeat offenders should continue to be severely penalized.

GUNS

This jury was extremely concerned about the number of guns that are found in the pockets, homes, and especially vehicles of the subjects the police arrest. We are afraid for ourselves, our communities, and our police. It seems there is disparity in what the state of Tennessee and the Federal Government consider to be prohibited weapons, and it is also a concern that while convicted felons are not allowed to have certain types of guns in their possession (a handgun for instance) it's okay to have – say a hunting rifle. Our lawmakers must continue to take a much closer look at current gun control laws, both at state and federal levels.

POLICE

Overall, we were so impressed with the professionalism and sheer courageousness of the police that testified before us. They were well-educated, articulate and well-prepared with few exceptions. One juror expressed concern that the police always ride with a partner (for safety) and the jury concurs. It is unthinkable that any harm should befall any of these wonderful men and women.

Those of us who took the opportunity to visit the police training academy and talk with the K-9 officers were especially impressed with them. The partnership they have with and the devotion to these magnificent dogs was deeply moving and an example of what true "teamwork" really is.

In closing, I just want to echo a couple of the other jurors who wrote that consideration should be made of the heavy case load dumped on future Grand Juries in relation to time allotted, whether the jurors get time to get a bite to eat, etc. Many of us never got lunch on Grand Jury days and never on days we took tours because we were so busy. Just a little whine, but one that can easily be fixed. Overall, it's been an educational, thought provoking experience and I think I speak for all the jurors when I say I'm glad I did it and I will never forget it.

Respectfully,


Dorothy Graham, Foreperson

CONCURRENCE:

David M. Glassford
David M. Glassford

Sharee Richardson
Joni Sharee Richardson

William E. Wiseman, Jr.
William E. Wiseman, Jr.

Brian L. Martin
Brian L. Martin

Fred A. Brumbach
Fred A. Brumbach

James A. Paxman
James A. Paxman

Harry W. McMacklin, III
Harry McMacklin

William J. Gupton, Jr.
William J. Gupton, Jr.

Jim Tremblay
Jim Tremblay

Jimmy T. Wells
Jimmy T. Wells

Anne J. Eng
Anne J. Eng

Kay Smith
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