

GRAND JURY FINAL REPORT

July 2005 Term

Presented to:

**The Honorable Monte Watkins
Criminal Court Division V
Davidson County, Tennessee**

On September 23, 2005

The Grand Jurors for the July 2005 Term submit the following report in summary of the three months served in Davidson County, Tennessee.

As Judge Monte Watkins for-warned, this was an educational experience none of us will ever forget. Although most of us did not have a clear understanding of this phase of the judicial system, it was enlightening to learn there is more to the process than what is presented in the media. The dedication and commitment of the officers and detectives is comforting, knowing they put their lives on the line on a daily basis to protect and serve the community.

During our three-month term, this Grand Jury heard 1,115 cases, to our knowledge, far more than any other jury to-date. We returned 1,103 True Bills and 12 No True Bills. Our ability to perform this task was due largely to the confidence instilled in us by Donna Dale. Rodney Faulk did an outstanding job preparing the prosecuting witnesses prior to them entering the jury room. All were quite professional and knowledgeable. Thanks, also, to Mary Housman who assisted Mr. Faulk and to Sonja Newbill.

We heard cases ranging from DUI, child abuse, sexual battery, murder, etc. However, it was quite alarming to learn most of the cases were due to drugs or were drug related. It is a concern that the cases are not presented to the Grand Jury for several months, and in some cases years, giving the criminal element time to commit repeated crimes.

District Attorney, General Torry Johnson and Assistant District Attorney Michaela Matthews gave us the opportunity to review two additional cases:

In the case of the officer shooting the individual driving on the grass in Centennial Park, the Grand Jury made the determination not to prosecute. The subject had been given numerous warnings to stop and he had ample time to follow the instructions of the officers. It is clear the officer was in immediate danger with his hand on the hood of the moving vehicle as it continued forward in to him. It was also evident, however, that erroneous information dispatched to the officer escalated the perceived danger in his mind, bringing in to question the procedures and training of the park police.

In the case of the four officers in the Harding Women's facility who caused the subsequent death of an inmate, it was the contention of the Grand Jury to indict the officers due to excessive force and not following procedures and policies.

We thank The District Attorney's office and Tameka Clarke with the Administrative division of Criminal Court V for arranging off-site field trips that were quite incredible and enlightening. Also, Chris Utley, who not only drove us, but also was extremely knowledgeable of the visited facilities.

At the Riverbend Prison, we were introduced to Abu-Ali Abdur'Rahman, who is currently on death row for murder. Mr. Rahman spoke with the group about his experiences regarding the last days on death row and how he felt degraded.

At the Woman's Prison, we encountered Christa Pike, the youngest woman condemned to die. We do commend the Relationship/Parenting rehabilitation program offered at this facility. Although effective, there was some concern the participating inmates were not allowed to communicate with inmates in the general population.

It is recommended that more programs be patterned after Judge Norman's Drug Court. It affords the community a lesser cost to rehabilitate individual. It also gives the inmates some degree of self worth and pride, and based on the individuals we spoke with, a brighter future.

Although the simulator at the Police Training Academy was somewhat intimidating, the experience was exhilarating. It is quite apparent the training officers take great pride in preparing veteran, as well as rookie officers in their quest to protect and serve the community.

It is apparent Judge Betty Green is dedicated to the young people at the Juvenile Detention Center. Her commitment and concern was quite evident as she spoke to the Grand Jury over lunch prepared by the facility.

The Grand Jury has some concerns based on our conversations with the prosecuting officers/witnesses and our rides with officers in the field; Priority and method of dispatch given 911 calls. What rules or procedures dictate their determination? It seems as though the current policy and procedures regarding priority of response is not driven by the severity of the crime but is politically motivated to skew public perception; morale seems low, possibly due to a shortage of police officers.

A special thanks to the regular jurors and some of the alternates. The dedication and commitment was extraordinary. The day hurricane Katrina was to arrive in the Davidson County area, fourteen regulars and alternates were there. Although a diverse group, this Grand Jury bonded beyond September 23, 2005. All would willingly serve again.

GRAND JURY, JULY TERM 2005

Cheneea Pollock

Sandra Clift

April K Spelta

Anta Simkas

Jessie V. ...

[Signature]

Paula Barnden

David Howard

Kristy M. Spann

Ronell Bezaith

Leah A. Middleton

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James H. ...
FOREPERSON