

**DAVIDSON COUNTY GRAND JURY FINAL REPORT  
OCTOBER SESSION 2009**

**PRESENTED  
TO  
THE HONORABLE SETH NORMAN  
DIVISION FOUR CRIMINAL COURT  
DAVIDSON COUNTY, TENNESSEE**

**DECEMBER 18, 2009**

## Overview

It is with a great sense of accomplishment that we report that the grand jury has completed its charge and concluded its deliberations for the October Term 2009. Part of the jury's charge is to submit a final report to the court documenting the results of our activities and deliberations. This report will include sections on recommendations, commendations, and conclusion.

## Summary

The grand jury was impaneled by Judge Seth Norman on September 21, 2009 and Judge Norman presented the Charge to the Grand Jury, October Term, 2009 at that time. Over the course of three months, the jury was ably guided under the capable leadership of the foreman, Mr. Stan Fossick, to fulfill our duties of inquiry and report as required by the Tennessee Rules of Criminal Procedure. The jury undertook inquiries into criminal cases submitted by Attorney General Torry Johnson. On-site visits were made to several local county and state venues to satisfy the jury's obligation to inquire into areas not submitted to the grand jury by the Attorney General.

The jury convened on 26 occasions beginning Monday, October 12 and ending on Friday, December 18, 2009 to review a **total of 778 cases**. It was the vote of the grand jury that of the 778 cases that were presented by law enforcement agency representatives or private sector security staff, **there were 776 true bills**. Sufficient evidence was provided on the charges against the individuals in these cases to determine that indictments were warranted. **There were six no true bills** – the grand jury determined that there was not sufficient evidence in those particular cases to bring indictments against the individuals who were charged with criminal activities.

## Recommendations

1. Tougher sentencing laws should be enacted to address the significant problem of repeat offenders in the Nashville area and to discourage recidivism. Currently, criminals serve only 30% their sentences. It is recommended that 100% of their sentences be served.
2. Seventy percent of juvenile crime occurs during school hours. It is recommended that Metropolitan Nashville Public Schools implement a comprehensive attendance system to track students throughout the school day.
3. A roof should be constructed over the outdoor basketball court at the Juvenile Justice Center so that it can be used year around.
4. Expand the DC 4 Drug Court. This is an exemplary program that has become a model for the nation.

5. DUI cases should be resolved within 90 days.
6. The bond for individuals charged with child abuse should be set at \$500,000.
7. For MPD officers reporting auto accidents, it is recommended that the "short form" that takes only 15 minutes to complete should be used for accidents with a total accident damage costing less than \$4,000. In 2008, there were 25,000 auto accidents in Nashville and MPD patrol officers spent an inordinate amount of time using the "long form" that requires 90 minutes to complete. The "long form" could be used for auto accidents costing over \$4,000 in total accident damage. This recommended change will allow officers to spend more time performing their regular patrol duties.
8. Collaboration between MPD and the Tennessee Department of Children's Services is recommended in following up on the young victims of child abuse cases to ensure their safety.
9. Due to the growing drug problem, it is recommended that middle schools be targeted for drug prevention programs.
10. Misdemeanors coming before the grand jury further overload an overworked system and should be resolved, if possible, in General Sessions Court.
11. Provide additional vocational training for women at Drug Court (DC4) and reinstate vocational programs for inmates at Riverbend Maximum Security Prison.
12. Additional resources should be allocated to investigating the growing problems associated with gang activities in the Nashville area.
13. Promote public awareness on what Nashville citizens can do to prevent crime.

### **Commendations**

1. The Metropolitan Police Department's (MPD) officers that presented cases before the grand jury were thoroughly prepared. They fielded questions and responded with the required information.
2. The expeditious manner used to present a series of cases to the grand jury by Sergeant Daniel Newbern was an excellent use of MPD resources. Newbern was consistently well briefed and fully prepared to respond to any questions on every case he presented. The district attorney's office and MPD staff have developed a sound strategy to use the time of grand jury and of MPD officers wisely.

3. Informative, well designed and delivered presentations were conducted by Attorney General Torry Johnson, Chief of Police Ronal Serpas, Mayor Karl Dean, Juvenile Court Judge Betty Green, and the Secret Service. Presentations to the grand jury by Captain Paul Trickey of the Drug Task Force, Lieutenant Mitch Fuhrer of the Drug Task Force, and Captain Michelle Doneghan on domestic violence were very well done and appreciated. These presentations provided a rich context for the grand jury in the deliberations on cases that were brought forth.
4. Site visits arranged for the grand jury to the Metro Police Academy, Riverbend Maximum Security Prison, Davidson County Drug Court, and the Metropolitan Police Department's CompStat meeting were well planned and beneficial. These visits provided important information as well as an opportunity to observe the workings of Nashville's law enforcement agencies, criminal courts, and the Tennessee Department of Corrections.

The individuals who participated in the grand jury's site visits are to be commended. Steve Bell at Riverbend Maximum Security Prison was excellent. At Metro Training Academy we applaud the following individuals: Sergeant Margie Hayworth for coordinating the visit; Steve Lewis for the SWAT presentation; Captain Jason Reinbold; Officer Clint Gilliland on the taser presentation; Lieutenant Ken Spencer for the aviation and K9 presentation; and Joe Daniel for the information on confiscated weapons. At the Juvenile Court and Detention Center, we thank Judge Betty Green and Tim Advent.

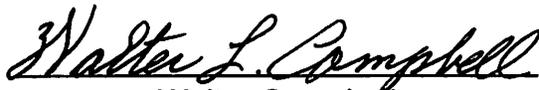
5. The new practice of having parole officers located at police precinct offices is providing needed services in convenient locations.
6. In Judge Seth Norman's office, we would like to thank Ms. Laura Ramsey for assisting us. We would also like to thank Laurie Hooberry in the Attorney General's office.
7. For the jurors who participated in "ride alongs" with MPD officers, we'd like to thank Officer Foster at the South Precinct and Officer Mike Thomas in the East Precinct.
8. Stan Fossick, the grand jury foreman, did an outstanding job during the three months we served on the grand jury. Stan is a remarkable member of the Nashville community and should be commended for his civic dedication and thoughtfulness. Additionally, the provision of fresh pastries and coffee at each and every meeting and treating the jury to lunch at Monell's were delightful. A tone was set for a working atmosphere that was comfortable and relaxed yet very productive.

## Conclusion

We have been proud and honored to serve on the grand jury for the past three months. Many jurors made sacrifices to maintain the three-days-a-week commitment to the jury from October to December, but have received much in return. We have developed greater awareness and keener insights into the complex nature of crime in the metropolitan area. Additionally, we have a deeper appreciation for the vigilant work of the Metro Police Department, the District Attorney's office, the criminal courts, as well as other local, state, and federal agencies in protecting and serving the citizens of Davidson County.

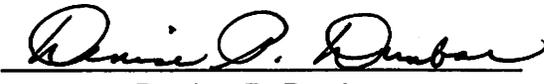
  
Stan Fossick, Foreman

  
Amber Butler

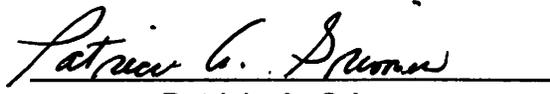
  
Walter Campbell

  
Richard J. Connor

  
Gentian Drumwright

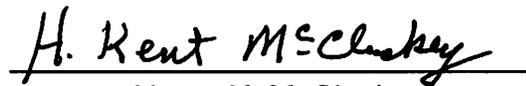
  
Denise P. Dunbar

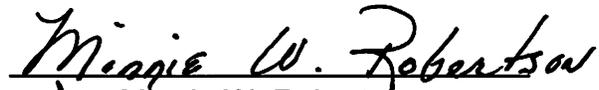
  
Kelly Gholston

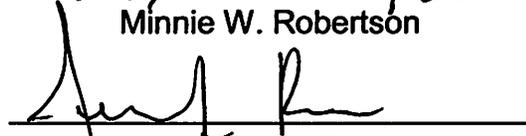
  
Patricia A. Grimes

  
Benjamin Hollis, Jr.

  
Eugene Krafewski

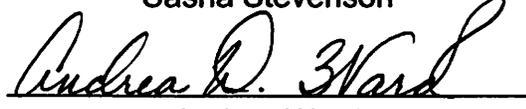
  
Henry K. McClusky

  
Minnie W. Robertson

  
Jennifer D. Ross

  
Jason R. Sales

  
Sasha Stevenson

  
Andrea Ward