

Criminal Court Division II, Davidson County, Tennessee

Grand Jury Final Report

The Honorable Judge J. Randall Wyatt, Jr.

Cathryn J. Rolfe
12/19/2013

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Grand Jurors

*Fossick, Stan
Foreperson*

Bennett, Jennifer

Blake, Jonathan

Davis, Brian

Heard, Margaret

Higgins, Michael

Lowe, Alvin

Lowe, Jimmy

Ray, Shelia

Roberts, Timothy

Rolfe, Cathryn J.

Spearman, Anthony

Walling, Ashley

Wiggins, Mary

Williams, Jerrica

Wright, Erin

Introduction

We, the Davidson County Grand Jurors for the September 2013 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 733 cases. We were able to present to the court 726 True Bills and 7 No True Bills.

Preparation

The Davidson County Grand Jury for the September 2013 term was prepared for service with an introduction to law by Attorney General Tory Johnson and staff. We also heard presentations from the Metropolitan Nashville Police Department's Drug Task Force, Gangs Unit, Traffic Unit, Domestic Violence Unit, and the Training Academy Leadership. We also had the opportunity to speak with the Honorable Judge Angelita Dalton, Division III and the Honorable Judge Dianne Turner, Division V.

The Davidson County Grand Jury met with Mayor Karl Dean to discuss the priorities he has for the City. Police Chief Steve Anderson was gracious enough to spend time with the Grand Jury discussing the organizational structure of the Metro Police Department and how this structure allows our Police Department to rapidly adjust and deploy resources to the areas of the city most in need.

Field Trips

- Police Training Academy (K-9, Aviation, SWAT, and Bomb Squad)
- Riverbend Maximum Security Facility
- Police Training Academy Firearms Simulation Center
- Metro Police Department Compstat—We recommend that all citizens attend this weekly meeting so that you will learn what an incredible police force Nashville has
- The Court of the Honorable Judge J. Randall Wyatt, Jr.

Please note that these field trips are highly educational. They allowed the Grand Jury to understand more fully about the matters that were being presented for deliberation.

Cases

As stated above, the Grand Jury heard 733 cases during our term. While the specifics of those cases cannot be discussed, we were all made aware of the significant number of drug charges that the MNPd has to respond to. While we feel that the Police Department is doing a great job in this area, the volume of drug related charges was an eye-opener for this Grand Jury.

Another matter that was troubling was the number of individuals driving on a revoked license. We discussed whether the State Legislature might look at ways to seize the vehicles of habitual offenders similar to how the TWRA takes position of guns and vehicles from those hunting illegally. While we know this will be a hardship for those drivers and their families if their cars are taken away, we were more concerned about innocent motorists who may be hit by one of these drivers.

As we are sure with most Grand Juries, the child abuse matters caused us to deliberate on potential solutions. During our term we heard a case of a habitual offender who preys on young girls by being their coach in certain sports. We also were dismayed that mothers who have had other children taken away from them are allowed to get infant children returned to them. During this term we had two infants who lost their lives at the hands of parents who had previous history with the removal of children from their care.

At the end of our term we discussed the matters where we had returned No True Bills. While we feel our Police Officers and the DA's Office do an excellent job enforcing the law when arresting and charging individuals, the facts of the matters did not warrant pursuing criminal actions. These deliberations are important to point out to show that the Grand Jury acts independently and questions matters and is not a rubber stamp for the DA's office.

Recommendations

- Provide Grand Jury with a list of legal terms most commonly referenced during presentments
- Explain the entire justice process from arrest to indictment a few weeks after the term is in session again
- Implement stiffer penalties for repeat DUI (three strike rule), drug offenders, and habitual motor vehicle offenders
- Increase resources for the cyber sex crimes units
- Create DUI court similar to drug and mental health court
- Provide all Grand Jurors with a generic letter to their employer at the start of the term explaining the Grand Jury process, Grand Juror obligations and time commitments. This term we had several employers who continued to question the time commitment of their employee which is understandable. A letter from the court will help to keep Grand Jurors from being pitted against their civic duty and their employer's frustration with the amount of time an employee is away from work. The letter should provide contact information for the Judge's office so if the Employer has a question they have a contact person to call directly instead of putting their employee in the middle.

- Officers presenting to the Grand Jury should feel free to wear their uniforms or dress casual. They do not need to feel the need to wear a suit and tie when they present.
- Selfishly we would ask for larger coffee cups in the Grand Jury kitchen and a few more creature comforts as we spend a great deal of time in that room.

Remarks

The September 2013 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 Attorneys and Staff

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

Finally, Grand Jury service is an incredible time commitment. Being the Foreperson is an even larger time commitment. We would like to recognize our Foreperson, Stan Fossick, for the service he provides to the citizens of Davidson County by repeatedly serving in this capacity. His leadership and guidance was invaluable. If citizens of Davidson County want to question his servant attitude or how he continues to be appointed to be a Foreman they are welcome to contact any of the Grand Jurors from this term and we will personally testify to his quiet leadership without influencing the Grand Jurors in any way. If persons want to criticize his service we strongly suggest that they "walk a mile in his shoes" before speaking out negatively about his service.

Report duly submitted by:

Cathryn J. Rolfe

Cathryn J. Rolfe
December 19, 2013