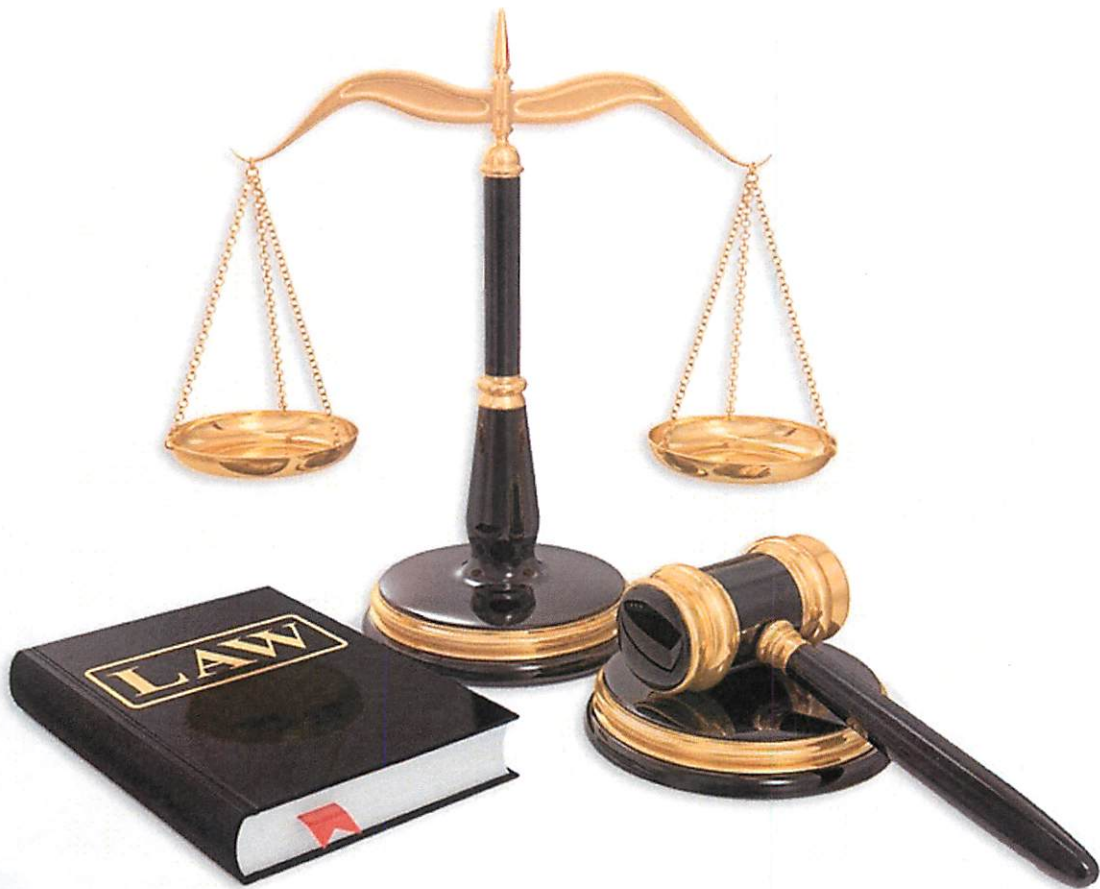


Grand Jury Final Report  
The Honorable Judge Steve R. Dozier  
Criminal Court Division I  
Davidson County, Tennessee  
January – March 2018  
Dwight Lewis, Foreman



We, the members of the Metro Nashville, Davidson County Grand Jury for the January – March 2018 term, as commissioned by the Honorable Judge Steve R. Dozier, present our Final Report documenting our service.

#### Grand Jury Members

##### Regular Members

Dwight Lewis, Foreman  
William Leslie  
Derrick Littleton  
James Roberson  
John Potter  
Jennifer Watson  
Cathy Allen  
Kiki Sorley  
Judy Gifford  
Javier Castano  
Phillip Baltz  
William Crenshaw  
Scott Samale  
Effie James

##### Alternate Members

Clark Spoden  
Lesley Murphy  
Adrienne Hlavah

##### Presentations

During our term, we had the opportunity to hear many informative presentations given by professionals in the employ of the Metro Nashville government. These include:

District Attorney, Glenn Funk and Staff  
Drug Task Force  
Domestic Violence Unit  
Our Kids, Leanna Dugan  
DUI Unit  
Judge Angelita Dalton  
Sheriff Daron Hall  
Police Chief Steve Anderson  
Metro Health Department Director, Dr. William Paul  
Judge Steve R. Dozier

## **Site Visits**

Grand Jury members had the opportunity to visit several facilities during our term. As a result, we were better able to understand how the criminal justice system works, and how the Grand Jury fits into the process. These include:

Police Training Academy, including the K-9 and aviation units  
Davidson County Detention Center and Juvenile Court, Judge Sheila Calloway  
Davidson County Crime Lab, Director Ann Talbot  
Justice A.A. Birch Building  
Davidson County Drug Court, Judge Seth Norman  
Riverbend Maximum Security Institution

The Grand Jury wishes to thank those individuals who took the time out of their schedules to accommodate us. Each tour provided us with additional insight necessary to complete our task.

The Grand Jury would also like to thank the staff of Judge Steve Dozier's office, particularly Tommy Newman and Wendy Skidmore. As well, we are greatly appreciative for those in the District Attorney's office who helped make our term more productive and for being patient in dealing with our endless questions.

Finally, we would like to thank those people that we worked with daily, Lori Hooberry and Sergeant Sean Richmond. Having familiar faces daily made the process a little easier.

## **Cases**

The Grand Jury received 667 cases.

651 were returned as True Bills

16 were returned as No True Bills

## **Concerns and Recommendations**

### **Police Academy**

The Police Academy seems like a well-run operation. The process by which new members of our police force are chosen and trained is commendable. However, the facility in which they operate is not as functional as it could be and is in need of replacement. With Nashville's current and projected growth, our police department will need to expand to meet the needs of the public. To meet that need, the Grand Jury recommends that the city create a facility that can better facilitate both the training of new officers and the continuing educational needs of current officers. It seems the current facility has enough land to allow for an updated facility, and steps should be taken to remedy the situation.

Based on our observations, the Grand Jury recommends better education and a renewed focus on obtaining and cataloging photographic and video evidence. We had many instances where photos and videos were not taken, lost due to technical difficulties, or simply not available for one reason or another. With the advent of cameras on nearly every cell phone, it should not be difficult to take photos of crimes when necessary.

#### **The Davidson County Drug Court (DC4)**

Judge Seth Norman's drug court is an asset to our city. Judge Norman and his staff are to be congratulated on their operation, which must be the cleanest building in all of Metro Nashville government. The staff and residents take pride in their achievements and it shows. With the prevalence of drugs in our society, this court should be expanded to serve an ever-growing population. While, the Grand Jury understands that Judge Norman has been tasked with overseeing this operation for the entire state of Tennessee, many of the residents come from the Nashville area. This being the case, the Nashville government should bear more responsibility when it comes to financially supporting their efforts. Housing residents here, not only costs less, but also translates in to a much better outcome for the residents. They learn the skills necessary to overcome their problems. If Nashville had more courts and facilities following their example, maybe our courts and jails might be a little less crowded with repeat offenders.

One way the Grand Jury recommends supporting the work of the Davidson County Drug Court, would be to allocate funds for a dedicated women's facility, and there seems to be enough land at the current location for the expansion. This would free up space to house residents that are currently on a waiting list. As well, it would help eliminate concerns about housing residents of both genders in the same facility.

Meanwhile, the city needs to pay attention to the dangerous drugs becoming more pervasive every day. The number of drug overdoses is extremely concerning. Heroin has reentered the drug market at alarming rates and with the addition of Fentanyl mixed with other drugs, overdosing seems to be more likely going forward.

#### **Mental Health**

The Grand Jury believes that a focus on mental health is imperative to the overall health of our city. Many of the cases and presentations we heard involved a mental health issue. Instead of solving the problem of why people keep getting in trouble, we seem to just throw them in to the criminal justice system. We treat too many affected individuals as criminals instead of getting them the treatment they need. The focus on mental health by Sheriff Daron Hall in the new jail facility being built was refreshing to hear. We recommend giving the people a chance to thrive by helping them to define their issues, and learning how to deal with them in a meaningful way instead of confining them to a jail facility.

As well, training should be conducted at all levels of the government, from teachers to police officers, to teach them how to recognize and deal with those who may be dealing with a mental health issue. If we recognize the issues earlier, the Grand Jury believes that it will result in less incarceration and a better quality of life for all of us. We believe that funds to do much of this are already available, it is simply a matter of reallocating funds where they can do the most good. Instead of using the funds to incarcerate, the funds can be used to treat and educate.

### **Weapons**

The Grand Jury found that guns play an overwhelming role in many of the crimes happening in Davidson County. Many of the weapons have been stolen and are in the possession of our younger population. We recommend that our legislators make it mandatory that gun owners act responsibly when storing their weapons. Leaving a gun in an unlocked car, for anyone to take, is reckless and should be treated as such by the law.

We had many cases where the guns were stolen and the person arrested was charged with theft. We found it problematic to indict due to the theft statute in Tennessee, A person commits theft of property if, with intent to deprive the owner of property, the person knowingly obtains or exercises control over the property without the owner's effective consent. Someone simply having possession of a stolen gun does not equate intent to deprive or knowingly obtain or exercise control. The Grand Jury recommends that the language of the statute be changed to make it easier to charge someone with possession of a stolen weapon during the commission of another crime.

### **Prevalent Crimes**

The crimes of drug offenses, DUI's, weapons charges, domestic violence, and child abuse were all too often on our docket for the day. The Grand Jury recommends studying these issues to find ways to combat their prevalence and to help prevent them from occurring in the first place. Specifically to DUI's, we recommend that the legislature look at passing a law that makes it easier to label someone a habitual offender, and that the District Attorney's office make use of the current law more often.

### **Information vs. Indictment**

The Grand Jury believes that greater use of an Information can cut down on the number of cases that are reviewed by the Grand Jury. This will create more efficiencies in the criminal justice system. Many of the cases we heard had the parties admitting to the charges against them. We believe many of these cases can move forward with the use of an Information instead of an Indictment if the defendant agrees.

## Other Recommendations

The docket of cases to be heard by the Grand Jury can be lengthy on many days. Future Grand Jurys should be on notice that they need to be more flexible on days the jury meets. There are many days when the jury will not be finished before noon. A more flexible system should be put in place for future juries. We would start the day at 8:30 and many times would not get done until 1:00 or later. On these days, juries should consider breaking for lunch if it deems it necessary. While 5 – 10 minute breaks throughout the morning are nice, a longer break to eat something is sometimes necessary. We are not sure how previous juries have handled it, but we believe it inattentive to eat while a witness is presenting a case and each jury, going forward, should adopt a formal policy that works for them if a docket runs long.

The Grand Jury recommends making the Tennessee Code readily available. Many of the crimes presented will be familiar to future grand juries, but many may not be. Having the elements of crimes more readily available will make it easier for the jury to determine if, in fact, a crime has been committed or which crime it may be. It is vital that Grand Juries have this information as well as the knowledge they can change the charges brought before it, this includes adding, reducing, or removing charges.

We recommend that additional staff be hired at the Crime Lab. Nashville is lucky to have an amazing facility, but turnaround times for evidence could be shortened by having additional staff in place. The need for quicker turnaround times, will only be enhanced by the city's expansion.

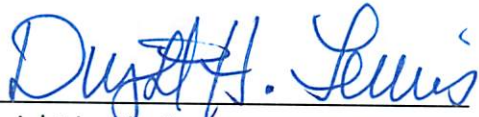
We have concerns about the number of citizens without health insurance in Nashville. For the wellbeing of all our citizens, we urge our leaders to make sure there is a safety net for people in need that come from all backgrounds. The issue seems more complicated than General Hospital. Everyone should have a good shot at a long and healthy life.

Finally, it seems there needs to be better coordination between the Court, District Attorney's office, and the department that controls the parking meters. While it did not occur every day, there were several days when we had parking issues.

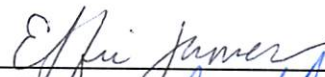


The Grand Jury is thankful to the Court for the opportunity to serve and learn more about the city, in which, we all call home. We have learned more about how our city works and have a greater appreciation for those that work in law enforcement. We come away with great knowledge about the law and how it affects our lives.

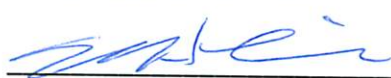
Respectfully submitted the 23<sup>rd</sup> day of March 2018.



Dwight Lewis, Foreman



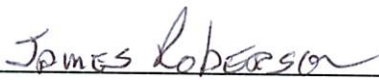
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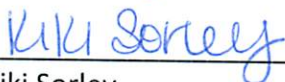
Jack Potter



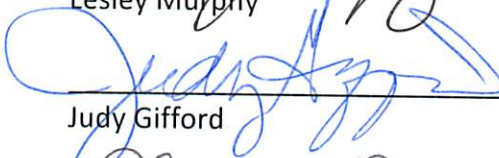
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