

Grand Jury Final Report

The Honorable Judge Monte Watkins

Criminal Court Division V

Davidson County, Tennessee

July – September 2017

Foreperson, Arnett Bodenhamer

Introduction

We, the members of the Davidson County Grand Jury for the July – September 2017 term, as commissioned by Judge Monte Watkins, submit this report in summary of our service and experience.

We begin by expressing our gratitude for the privilege and honor of serving on the Grand Jury. This experience has given us an opportunity to serve in a way not all citizens are given, and has allowed us to gain insight and respect for what our Judicial system does to protect and serve its citizens. We are confident that this experience has enhanced our ability to inform others in the community of the outstanding job and commitment given to protect all who live in and visit Davidson County.

Preparation

Prior to hearing cases, several days were spent gaining an education of our police department's organization, legal system, drug task force, gang unit, D.U.I unit, domestic violence unit, child sex abuse unit, youth services, and criminal warrants division.

- Detective David Slessinger and Sue Ross, RN (Our Kids) – Child Sexual Abuse
- Sergeant Gene Donegan – Drug Task Force
- Detective Chris Gregarious and Rob Kelly - Gangs Unit
- Detective Nate Ellsworth and Sergeant Robert Bandish – Domestic Violence
- Officer Brad Nave – D.U.I. Unit
- Captain Randall Hickerson – Criminal Warrants Division
- District Attorney General Glenn Funk – Overall crime statistics in the county and the purpose of the Grand Jury.

- Assistant District Attorney Rodney Faulk – The operation of the Grand Jury.

A special thanks to everyone who took time out of their day to speak with us, providing invaluable information and their patience as we asked questions to ensure we understood procedures, law and process to assist us as we proceeded hearing cases.

Cases

During our term, the Grand Jury in accordance with the Tennessee Rules of Criminal Procedures, heard and deliberated over a total of 625 cases.

605 were returned as true bill

20 were returned as no true bill

Special Case

2 Special cases were presented. It was decided by the grand jury that no action should be taken on either case.

Site Visits

We had an opportunity to visit several sites during our term which allowed us to get a firsthand look at our judicial system and all they do for our citizens.

Crime Lab – Captain Harmon W. Hunsicker gave us a tour of the new state-of-the art crime lab, allowing us to see the many resources Metro Davidson County has available to them to assist in solving crimes, gathering crime related data to link crimes, testing drugs to assist our officers in recognizing and staying current on the drug problems in our community, along with many other services they provide. We are a rapidly growing city with a need to stay current, educated, and trained to continue to combat crime. Rapid turnaround of evidence from the crime

lab provides officers with the tools needed to remove criminals from the streets before they can commit more crimes.

Riverbend Maximum Security Prison – Officers Charles Stephens, Michael Sargunas and Tyler Lee took us on a tour of the maximum-security prison. A special thanks to these officers for the comprehensive tour of the facility, which included Death Row. They show a great dedication to their job, and appear to command a respect from the inmates without using intimidation.

The facility was very clean, all personnel we encountered were very professional and willing to answer any questions we had regarding the facility and care of inmates. We had a chance to not only tour the maximum-security side of the prison, but talk to one of the inmates about his everyday life in maximum security.

Police Academy – Lt. Jason Proctor gave us a great tour of the police academy and talk to us about the extensive training officers must complete before they are sworn in as officers of the law for Davidson county.

K-9 Unit – Officer Harris and Troy Gossett spoke with us about the K-9 unit and allowed us the opportunity to see the dedication and training these officers and K-9 go through. We were given the opportunity to see a demonstration of the type of training the officers and their K-9 partner go through. They create an amazing bond with their partners and most spend their life with the officer that trained and worked with them. They provide a great value to our community and the police department in fighting crime.

Aviation Unit – We had a chance to get an up-close view of the helicopters used by the police department and see some that were being refurbished that were donated by the defense department for exclusive use of the police department to increase the number available to our

community. The helicopters used have night vision and heat sensory capability to assist officers from the air.

Juvenile Court – Judge Shelia D. J. Calloway and her team met with us to discuss and tour the inner workings of the Juvenile Court system. It was encouraging to hear about the work they do in conjunction with the youths and their families to find ways to get them out of the criminal situation they are in and hopefully help them find a better path. It is, however, disheartening to hear about the low budget allotted to Juvenile Court system to help our youth. We feel there is a need for a larger location and additional resources to meet the needs in our community to give our youth new direction and hope for a different life that does not include crime.

Drug Court – Director Janet Hobson talked to us about drug court and what they do to help those arrested on drug charges with a desire to get off drugs and better themselves and their lives. It is inspiring to see how an idea, based on research, begat a program so emphatic. Hearing the residents share how the center combines care, work ethics and personal goals, administered by the Director and staff, makes such a positive impact and provides them with a sense of achievement in their lives show how the expended treatment is strategically restoring the drug addicts into earnest citizens.

The residents grow most of their produce, care for the center and surrounding grounds, make and sell woodwork projects while completing a 3-phase program before entering aftercare treatment and intensive care treatment once they leave the facility. The cost of this type of program is less than the cost to keep them in jail and helps them re-enter the community drug free and start a new life. We would like to see more of these types of facilities to help those that want to be helped.

MPD COMPSTAT - We found the weekly Computer Statistics (COMPSTAT) meeting very informative. Having every Precinct Commander and other representatives together sharing information on what is going on in their precincts, provides a great opportunity to discuss and learn from each other, bringing a greater awareness on the criminal activity across Davidson County. These individuals are very knowledgeable about what is going on in their areas and open to sharing and learning from each other. The IT department does an outstanding job of putting together the amount of data for an overall view and breaking it down into very specific details to be shared.

TBI – Director Mark Gwyn spoke with us first and gave us the history of how and why the TBI was started. The work they do with other agencies to track, solve and prevent crime is not only impressive but shows another area, on a state level this time, where we are setting an example and standard for others to follow. TBI Mission Statement “That Guilt Shall Not Escape Nor Innocence Suffer”.

Assistant Director Mike Lytle gave us a tour of the TBI’s state-of-the art facility and allowed us to see the work that goes on behind the scenes to solve crimes. A special thanks to all staff that spoke with us and provided us with information of what they do to assist in getting criminals off the streets of Davidson County.

Davidson County Medical Examiner – Assistant Medical Examiner Erin M. Carney, M.D. Forensic Medical Management gave us a very informative presentation on “Forensic Pathology and the role of the Medical Examiner”. We appreciate Dr. Carney taking time from her day to share what she and her colleagues do to assist in solving murders, crime scene investigations, help families find some closure when a loved one dies unexpectedly, and at times being able to let them know of hidden hereditary causes that could end up saving the life of

another family member. We would also like to thank Director of Investigations Candice Sexton for taking time to show us the facility and talk to us about what she and her team do to ensure crime scenes are documented and properly investigated. Caring for the deceased and showing respect for them after death is an important part of the job for the Medical Examiner's office. They show a genuine protection of those entrusted to their care until they are released to family.

Recognitions

In addition to the presenters listed, we would like to take the opportunity to recognize others who had an impact on our experience as the Grand Jury:

- Thanks to Mayor Barry for sharing her visions for Nashville, and her plans to improve traffic through public transportation. It's reassuring to know that our city is in the care of a Mayor, along with her team, who are making strides to continue to make it better as our city grows.
- We are also grateful to Judge Watkins for taking time out of his busy schedule to meet with us to discuss what's going on in our great city and what is being done to keep us safe. It was a pleasure to have the opportunity to speak openly with him about anything we wished.
- A special thanks to Chief Anderson and his Commanders for meeting with us to discuss what's going on in our communities, and for hosting us at COMPSTAT. We are seeing a lot of crime being committed by young adults between the ages of 18 and 24 so it is great to see what is being done around our city to keep us safe and the work going on to ensure that as our city grows, so does the diligence and dedication to the citizens you serve. It

was great to hear from all the different precinct about what they are doing in their zones and that we are getting another precinct soon to help combat crime.

- Assistant District Attorney Rodney Faulk, for his daily assistance answering legal questions for us and helping us gain a better understanding of the law.
- Sergeant Sean Richmond, for always being very well prepared, organized and providing detailed reports to make sure we had the information need. His easy-going personality and good humor made it easy for us to ask questions and request additional information if we felt it was needed, and we never felt any question was not important or worthy of an honest answer.
- Officer Chad Turnbow presented several cases when Sergeant Richmond was absent. Officer Turnbow was also very well prepared and provided us will answers to our questions.
- Foreperson Mr. Arnett Bodenhamer, we would like to give special thanks for his leadership and guidance throughout this tenure. We were often a very opinionated group, but he was always there to listen and get us back on track when needed. He reminded us of our role as the grand jury was NOT to decide innocence or guilt but to find probable cause that a crime was committed by the accused.
- Jazman Bowles from Judge Watkins office. A special thanks to her for handling attendance, getting alternate jurors to come in and taking care of our site visits and transportation.
- Lori Hooberry Legal Secretary to the Grand Jury for always helping with questions, making us feel welcomed, making sure we had a case list each day, and anything else we needed.
- We would also like to thank our drivers that drove us to site visits. James Fields, Jonathan Gross, Beth Halstead, Stephanie Mosley, and Chris McGee.

Observations and Recommendations

- Generally, all presenters were well prepared to testify and answer juror's questions. When needed, Assistant District Attorney Rodney Faulk was available to provide information on the law and do additional research requested by jurors. We had a couple of cases where the officers were not as prepared as they should have been, and were not able to provide the details we felt needed to make an informed decision. On a few such instances, we requested those cases to be reviewed and brought back with more details.
- We have concerns with the large number of repeat offenders in the court system. We have seen a lot of D.U.I cases with multiple offenses. We feel there is a need to review the penalties and consider tougher sentencing. i.e., higher fines, jail time, ignition interlock devices installed at the cost of the offender, a database for establishment that sell alcohol, that would allow them to scan drivers' licenses for anyone buying alcohol and alert them if the person making the purchase has ever been convicted of a D.U.I., therefore not allowing them to complete the purchase. This would be like the current system used for anyone purchasing certain medications that can be used to manufacture drugs.
- We have heard many cases with young violent offenders. We would like to see more ambitious outreach programs targeting our young adults.
- When officers respond to a welfare check for a child or adult, it would be helpful to have an EMT, paramedic, or LPN available to help assess the person's wellbeing. Officers have limited training in health problems and could miss signs of physical abuse that trained medical staff might see.

- We would like to see more affordable ways and online payment options to get driver's licenses reinstated for lesser crimes.
- We share the concerns of the MNPd regarding the increase of drugs, drug related crimes, and robberies in our communities and encourage increasing awareness and stiffer penalties to help combat the problem.
- We feel that with the fast-growing population in Nashville and the increase of visitors there is a need to add additional officers, EMS, and other aid services to meet the needs and safety of our citizens. While the city does an excellent job at providing coverage for large events and still have a presence in our communities, we feel the need for more officers will continue to grow as our city continues to host more events.
- As Nashville grows so does our homeless community. We would like to see affordable resources to develop housing and other programs needed to assist our homeless communities.

Grand Jury Service

- We feel that to ensure the required 12 jurors present for all cases, at least one alternate should be required to be present for the weeks they are assigned. This will avoid delays while waiting for other jurors to arrive, which at times has taken an hour or more from the time they are contacted and arrive. They would also be able to see how the process works, so extra time is not spent on getting the alternate up to speed on their role as grand juror once they arrive.
- When field trips take place on days the grand jury is not meeting, arrangements need to be made to ensure parking is available.

It is of the utmost importance that the grand jury understand and remain cognizant of its role.

The grand jury should remain impartial and unbiased during its deliberations. Jurors should give their undivided attention to the individual who are presenting a case so they do not miss pertinent information before voting.

Conclusion

Judge Watkins stated that our service would be an experience we would never forget, and he was right. It has been a privilege and honor to serve on the Grand Jury and something we will never forget. We have broader and deeper understanding of the process of the criminal justice system, as well as an appreciation for the individuals who serve our community. We thank you for the opportunity and we all agree we would do it again. Thanks to all the amazing and dedicated individuals who serve us with honor and pride in what they do.

Respectfully submitted on September 29th, 2017, by the Davidson County Grand Jury, July – September 2017 term.



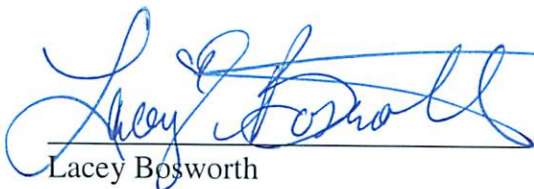
Arnett Bodenhamer, Foreperson



Debra Griffin



Robert Clements



Lacey Bosworth




Carolyn Hill




Casey Crouch



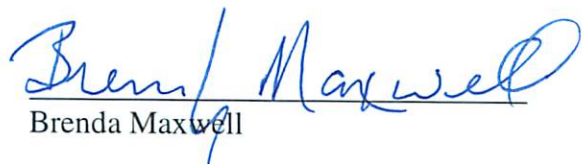
Janice Hughes



Jamie Bradley




Christel Morgan



Brenda Maxwell



Tamara Hilbert



Sandra Hatch