

Grand Jury Final Report

The Honorable Judge Steve R. Dozier

Criminal Court Division I

Davidson County, Tennessee

July-September Term 2019

Foreperson, Stan Fossick

We, the members of the Metro Davidson County Grand Jury for the Summer 2019 term, as commissioned by the honorable Judge Steve Dozier, present our Final Report documenting our time in service.

Grand Jury Members

Foreperson: Stan Fossick

Regular Jurors

Troy Akers

Erin Bone

Bettina Fuqua

Tyler Hawkins

Blake Justice

Betty Matlock

Kenyon McClellan

Alexander Mutual

Christopher Ogle

Mary Connell Pryor

Megan Bess Street

Victoria Suter

Clifford Vaughn

Alternate Jurors

Kevin Belote

Sandra Carney

Tana Comer

Branden Davis

Rhonda Dunsmore

Andrew Lantz

Anthony Maples

John Morrow

Mark Terrell

Ron Ullrich

Keith Young

Presentations to the Jury

At the beginning of our term as grand jurors, we were given the opportunity to hear from many of the people who work within our justice system. The purpose of these presentations was to inform us about the types of cases and evidence we would be hearing and give us background information concerning our criminal justice processes in Metro Davidson County.

Thank you to those listed below for taking the time to educate us on the workings of the criminal justice system - police procedure, how the law is applied, and current statistics and trends

occurring in our county. This information greatly assisted in our task of hearing and deciding cases.

General Glenn Funk, District Attorney

General Rodney Faulk, Assistant District Attorney

Leanna Dugan, MSN, RN, CPNP - Our Kids Center

Sergeant Gene Donegan - Drug Task Force

Officer Brad Nave - D.U.I Unit

Detective Nate Ellsworth and Lieutenant Lee Kendall - Domestic Violence Unit

Chief Steve Anderson - Metro Davidson County Police Chief

Cases

During the course of our time in the Grand Jury, we deliberated over a total of 820 cases.

- 816 indictments were returned as True Bill
- 4 indictments were returned as Not True Bill.

Site Visits

As Grand Jury members, we were given the opportunity to visit several sites during our term.

These site visits were both educational and a bonding opportunity for the individuals of the grand jury.

The Police Training Academy

Captain Keith Stephens and his staff provided a tour of not only the Training Academy but also the different departments within the Davidson County Police Department. We were given a tour of the facilities and allowed the opportunity to participate in scenario simulations. We performed the simulations in groups of two, having to make the same split-second decisions officers are often forced to make in reality. Being able to “experience” the immediacy of reaction that is required by officers provided us with greater perspective on the extreme difficulty and pressure facing officers on a daily basis.

We met at the K-9 training field, where Sergeant Troy Gossett and his unit educated us on the training and operations of the canines within the unit. The officers and their partnered dogs demonstrated their impressive skills, and we learned how they work together to aid the entire department. This division fully trains all animals themselves in both explosive and drug recovery. Because of the intense bonds created with their handlers during their careers, the canines retire to the home of their human partner.

Mounted Patrol Division

We spoke with the officers in the Mounted Patrol division, Officer Nathan Clark and Chris Seufer. Both officers spoke of the necessity of this type of patrol in downtown Nashville where there are often large crowds and special events. They educated us on purpose of their division and how the horses and staff are trained. Each mounted officer can perform the duties equivalent to multiple officers on the ground, making the program efficient and highly beneficial to our downtown area.

Bomb Squad Division

Officer Michael Pollard spoke to us about the Bomb Squad and all of the tasks they perform throughout the community. We were able to see a variety of devices used to investigate a possible bomb incident or to inspect an event space prior to the start of the event. The growing list of special events in Nashville has resulted in these officers working long hours and has created a need for expansion of this division so that it can continue to provide necessary services.

SWAT Division

The SWAT presentation given by Lieutenant Scott Boyd was illuminating as he told us how this department of the police functions. It works tirelessly to provide support to officers in a wide variety of circumstances, as well as providing other important services to our community. This division, like the rest of the police department, finds its resources stretched as they stay extraordinarily busy.

Aviation Division

The Aviation division took the Grand Jury to the helicopter servicing bay and talked about the history of the division. We were able to take a ride in the helicopter, and several of us were able to experience calls for aviation assistance firsthand.

Drug Court

We had the opportunity to tour the Drug Court facility in Metro Davidson County led by Director Janet Hobson, who is truly passionate about helping her residents. She communicated the history and purpose of the two-year drug rehabilitation program - to provide a stable environment for individuals to recover from addiction through activities such as group therapy, work programs on and off-site, as well as newer programs like weekly yoga and music at the facility. We believe this program is the beginning of a movement toward restorative justice as addiction continues to take an increasing toll on our region. The current treatment available outside of the program is not effective for most in our state, but the intensive nature of this program allows for individuals to work toward personal growth while also giving them tools to succeed once they have graduated. In our time on the grand jury, we have observed the seriousness of the drug addiction issue in Metro Davidson County and hope that Drug Court continues to provide the opportunity for addicts to recover and thrive. Thank you to Judge Norman for fighting for programs such as these and to Judge Smith for continuing this beneficial endeavor. Also, we would like to thank the residents of Drug Court who shared their moving stories of transformation with us and for those who helped provide our meal.

Riverbend State Penitentiary

We toured this large maximum-security prison, including Death Row, led by the Head of Security and several other staff. The facility is pristine and is impeccably maintained by the inmates and staff. Every staff member we encountered was professional and knowledgeable, answering all of our questions. We spoke with an inmate currently on Death Row who explained how the unit operates and the relationships he has with the officers and other inmates in his unit. The officers we met throughout the tour seemed to have a foundation of mutual respect with the inmates lacking fear or intimidation. We thank each and every member of the staff at Riverbend for allowing us to tour the facility.

Police Headquarters and Office of Family Safety

We were able to tour the new Police Headquarters and see the comprehensive nature of the new facility. The building has many different departments under one roof, allowing for faster communication and a central location for those in the Metropolitan Nashville Police Department. Chief Steve Anderson spoke with us in his office and allowed us to ask additional questions about the police department and the facilities.

The Office of Family Safety is the new facility providing care for the victims of domestic violence and sexual assault in Metro Davidson County. We were given a tour by the Assistant Director of Client Programs, Allison Cantway. The facility has specific rooms where victims can get assistance with filing Orders of Protection, receive counseling, speak with detectives, obtain aid in finding a shelter, and attain items such as food, diapers and formula. At the center of the building is the children's play pyramid that allows parents to watch their children play on camera while also receiving services. Small innovations such as this make the process much more comfortable for those who seek help. Domestic violence is a major problem facing our community, and this facility and its wonderful staff have tried to create solutions to help victims rebuild their lives. The major takeaway from our tour is that trauma affects the lives of the entire family system that is experiencing domestic violence.

MPD COMPSTAT

This weekly COMPSTAT or Computer Statistics meeting is open to the public. Every precinct Commander, Community Coordinator, and other staff members converse about the previous week's crime, discuss the current trends being observed, and display photos of community outreach events of the officers. Every commander was very knowledgeable about the crimes affecting their precinct in addition to the current issues and trends the department is experiencing.

Ride-A-longs:

Several members of the grand jury were able to participate in ride-a-longs with police officers within our precincts. Each of us experienced different types of calls and situations. We all observed levels of understaffing and hope our community can find solutions to this problem in the near future. Special thanks to the Madison, East, and South precincts for accommodating our requests despite any inconvenience.

Recommendations and Observations

Grand Jury Specific:

- The set timeframe for our service is from 800AM to 1200PM on Monday, Tuesday, and Friday of the week. We recommend that the full time allotted be used by future Grand Juries to prevent moving at a pace that may weaken the process.
- We recommend that future Grand Juries be given the opportunity, as a standard practice, to review video footage or photos within the case file that may be pertinent to proving probable cause.
- We found a need for a more formal procedure when selecting whose votes will be excluded if there are more than twelve Grand Jurors in attendance. If an alternate juror is present in addition to twelve regular jurors, the alternate juror's vote should generally be excluded due to having less information pertinent to the process than the regular jurors.
- We recommend that alternate jurors be given the opportunity to attend the first week of Grand Jury. This time is filled with presentations and education that we believe to be immensely helpful and almost necessary to the process. Information on the justice system's function, the duties of the Grand Jury, the type of evidence in specific crimes, and the current laws and crime trends should be an essential part of fair proceedings.
- We recommend future Grand Juries be given a list of possible "site visits" to begin discussing where the group would like to attend. There were several places such as the Juvenile Court, TBI, Crime Lab, and others that we were unaware were available to us. We suggest that viewing the court process or doing ride-a-longs, may be more beneficial to jurors to experience early in the term.
- We recommend a list of the Felony Sentencing Ranges; a structure list of typical charges that come before the Grand Jury and how they escalate from a misdemeanor to felony; and a simple diagram to illustrate the process of charges through the criminal justice system. Additionally, we believe additional education would be appropriate on why certain cases are presented to the Grand Jury and others are not.
- The Grand Jury facility, process, and site visits provide few options for those with physical limitations. Future protocol should include inquiry about limitations before the initiation of the term and attempting accommodations when possible.

Other Recommendations and Observations:

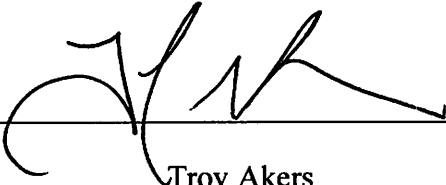
- Our gravest concern is the shortage of police officers in our growing city. Currently, Metropolitan Nashville Police Department employs 1,380 officers of the allotted 1,511. At the present time, sixty of these officers are still within their probationary period. This lack of officers drastically impacts the efficiency of each precinct to respond to emergent calls and assist the community. Not only does it affect officers' duties, but also their ability to take paid time off which seems to disproportionately affect patrol officers. MNPD officers also work a large amount of overtime due to shortages and special events, adding further stress to officers. We believe that actions should be pursued to allow the Davidson County Sheriff's Department to assist MNPD with civil matters pertaining to roadways – traffic accident reports, traffic infractions, and general highway safety and enforcement. This would remove some of the burden on MNPD officers so that they can dedicate their focus to the criminal matters affecting our county.
- The Police Training Academy is currently without a functioning air conditioning system. They are presently using a temporary solution. The Academy needs additional space and updates or a new facility to provide the best environment for the officers in training and the capacity to process new officers at a faster pace.
- The Aviation Division of MNPD need new aircraft, as they currently only have aircraft for search operations and not rescue operations. The cost is high for these aircraft, but they are needed to continue to provide air support for the Metro Davidson County area.
- We recommend the current City Council and Mayor look toward the future and seek to raise the pay of the officers in our county as well as provide funds for community engagement. This city needs to repair its relationship with police officers and focus on a system of restorative justice.
- Throughout our time in the grand jury, we observed trends in the types of cases we heard. These trends related to drug sale and use, domestic violence, and DUIs.

There are too many citizens of Metro Davidson County who suffer from drug addiction but reside in jail or prison instead of a rehabilitation facility. There are too many citizens who experience domestic violence in this city who need assistance. There are too many citizens who have gone to jail or prison and have not been given an opportunity to experience restorative justice. We need to focus on healing and not punishment.

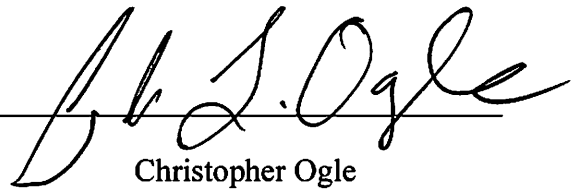
Recognitions

Special appreciation goes to Sergeant Sean Richmond and Officer Bill Fox for the service they provided to the Grand Jury by presenting the cases for each indictment. Thank you to all of those in the District Attorney's office for their hard work and dedication to our Grand Jury process including Michaela Mathews, Rodney Faulk, Michel-Claire Bottoms, and Ben Ford. Thank you Lori Hooberry, the Grand Jury Legal Secretary, for all of the time invested in both preparing our daily dockets and ensuring we had all of the appropriate work documentation. We, the Grand Jury, thank every person who educated us on the criminal justice system, the policing system, and provided service to us. We give a very special thank you to our Foreman, Stan Fossick, for his passion and desire for us to enjoy this civil service.

This report is being submitted by the Davidson County Grand Jury for the Summer 2019 term.



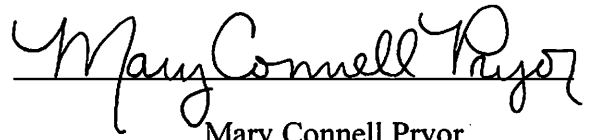
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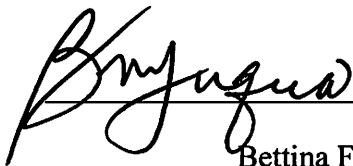
Christopher Ogle



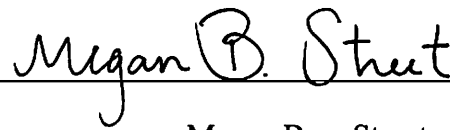
Erin Bone



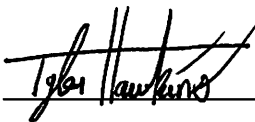
Mary Connell Pryor



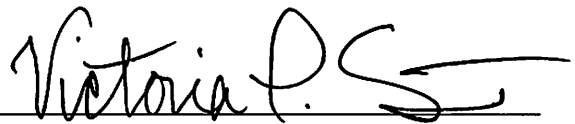
Bettina Fuqua



Megan Bess Street



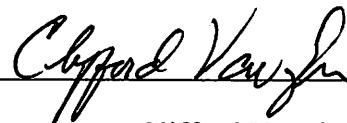
Tyler Hawkins



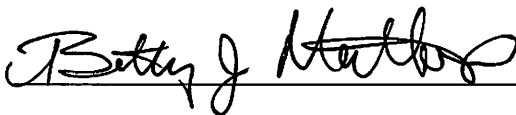
Victoria Suter



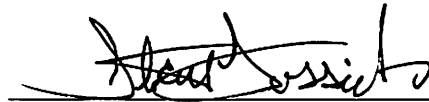
Blake Justice



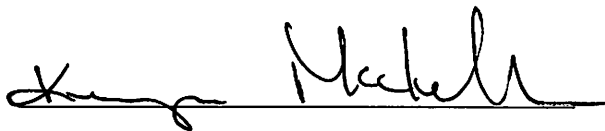
Clifford Vaughn



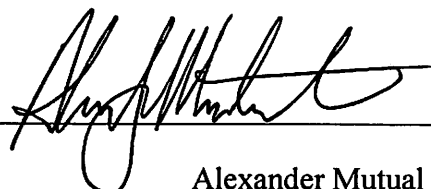
Betty Matlock



Stan Fossick, Foreperson



Kenyon McClellan



Alexander Mutual