

**DAVIDSON COUNTY GRAND JURY  
JANUARY – MARCH 2024 SESSION  
CRIMINAL COURT DIVISION I  
HONORABLE STEVE DOZIER, CRIMINAL COURT JUDGE**

The Davidson County Grand Jury met in session on Wednesday and Thursday mornings each week beginning January 10 through March 27 (except for the week of January 15 due to snow and ice). Our Grand Jury was comprised of a diverse group of citizens representative of the Nashville community in age, race and gender. Each individual took his or her responsibility very seriously and were very engaged in all of our deliberations.

We heard 687 cases total. Of those, 686 True Bills were returned and one No True Bill was returned. We heard a variety of cases dealing with numerous offenses. Many of these were driving under the influence cases, domestic violence, sale/use of controlled substances, street racing, felons in possession of weapons, homicides, rapes, aggravated assaults, robbery, burglary, aggravated child abuse, child abuse and child neglect. There were a shocking number of child offense related cases, the most troubling of which were child rape, child sexual assault, aggravated child abuse, child neglect and child exploitation. The Grand Jury thoroughly considered each case and returned or declined to return indictments based on the individual facts of each matter and the applicable law.

Additionally, the Grand Jury would approve additional criminal charges when the specific facts of the case warranted the same. In many instances, we added the charge of convicted felon in possession of a handgun, aggravated assault, etc. when the facts of the specific case indicated the same should be included. These additional changes were added only after the Assistant District Attorney General on duty with the grand jury that day had been consulted to explain the elements of the applicable Tennessee criminal law.

The Grand Jury heard from a variety of individuals involved with the criminal justice system. These individuals included:

Davidson County District Attorney General Glenn Funk  
Detective Steven Jones, CSI, MPD  
Domestic Violence Unit MPD  
Detective Grubbs and Detective Eaves, Youth Services MPD  
Sergeant Mike Fisher, MPD  
Lee Anna Dugan, Our Kids  
Georgia Sims, Assistant Deputy Public Defender

The Grand Jury took a tour of the Behavioral Care Center (BCC) established by Sheriff Daron Hall. Eric Bauder led the tour for us. The BCC addresses mental health, substance abuse, etc. in an alternative setting to jail. It is a short-term residential setting for no longer than thirty (30) days. Offenders have the opportunity to engage in a treatment plan that addresses their specific issue. This will lead to no actual jail time if the individual successfully completes the program.

Additionally, it will provide support for the individual once they leave the program and transition back into the community. This is a "win-win" for the individual and the Nashville community as a whole.

Warner Hassell served as Foreperson of the Grand Jury. Warner has a history of long standing court service and interaction with the judges. He brought a lot of historical knowledge to the group and explained the intricacies of the cases in a way that was understandable and educational. He provided guidance, support, clarification and encouragement to the Grand Jury, was very professional and kept the Grand Jury on task.

Sergeant Mike Fisher presented a majority of the cases to the Grand Jury. He did an excellent job explaining the facts and circumstances of each matter in a timely, efficient manner. Sergeant Fisher is an invaluable tool to the District Attorney General's Office and should be retained at all costs.

The other officers, detectives, investigators, etc. that appeared before the Grand Jury presented their respective cases in a thorough, professional manner. It was very obvious that all these individuals take their responsibility very seriously and were very well prepared each day.

The new sound system in the Grand Jury room greatly improved the communication and presentation. We would like to thank the District Attorney General's Office and the Davidson County Trial Courts for this enhancement.

### **CONCERNS AND RECOMMENDATIONS**

The Grand Jury found that it is very efficient to have fifteen (15) grand jurors impaneled. This helps avoid the delay of obtaining alternate jurors in the event someone has to leave early, becomes sick, etc.

Many grand jurors would like for there to be a better introduction to the basics of the criminal case process before they begin hearing cases. A detailed explanation of the criminal system from the time the person is arrested to the time the case arrives to the grand jury would be beneficial. Additionally, more explanation regarding the probable cause standard versus the beyond a reasonable doubt standard would be very helpful to the grand jurors.

As Nashville grows, we will continue to see an increase in crimes, particularly violent crimes. It is recommended that Bail Bonds must be raised for certain cases such as domestic violence, orders of protection violations, homicides, cases involving children and for serious and repeat offenders. More police officers are needed. The Metropolitan Government of Nashville needs to address the recruiting process and fill vacant positions as quickly as possible while obtaining quality police candidates.

Street racing is becoming a very popular event and is very dangerous to the public. The grand jury heard that there are laws for drag racing, but there are not any specific laws addressing street racing. This needs to be addressed immediately by our State Legislature.

Additionally, retail theft has become a huge problem. The laws and the prosecutors must get tough on retail crimes. Retail thefts drive up costs for everyone. These need to be prosecuted fully with stiff penalties imposed.

The grand jury repeatedly heard about delays in processing DNA. It is taking two to three YEARS for the DNA to be processed. This is inexcusable. Metro Nashville established a lab to process DNA and other criminal evidence so that they did not have to utilize the TBI labs with their extended waiting period for results as well. The Metro lab appears to be understaffed and very inefficient. Metro needs to correct this by hiring and training more lab technicians and processing the labs much more quickly. Metro should seriously consider contracting these duties out to a private entity to get results in a timelier manner so that serious cases such as rape can be prosecuted without prolonged delays.

The Grand Jury heard a rape case wherein the victim had evidence of the crime including a phone recording of the perpetrator confessing. The victim could not get the police detective assigned to the case to timely pursue the case, investigate thoroughly, utilize the evidence the victim had, etc. Victims deserve thorough, timely investigations.

The more serious criminal offenses must be sentenced with longer jail times. Moreover, there must be a reduction in the utilization of plea bargains for repeat offenders, especially for children related offenses such as aggravated child abuse, child rape, etc. and violent offenses such as homicide, aggravated assault, rape, etc.

It was very disturbing to the Grand Jury that certain individuals with numerous prior convictions (many with homicides and other violent crimes) can be out of jail or prison in such a short period of time and are committing crimes again. We need stiffer penalties and higher bonds for repeat offenders of these violent crimes and crimes against children.

The Grand Jury heard one case involving a prison inmate death where the deceased inmate was in prison for drug related offenses. He was placed in a cell with another inmate that was a convicted felon serving life in prison for violent crimes. It was very concerning that the Department of Corrections would allow a relatively nonviolent offender to be housed with a dangerous, violent felon serving life. In addition, this case involved a dispute over missing drugs. Apparently, drugs in the prison system is a commonplace thing. This needs immediate attention by the Department of Corrections. Unauthorized drugs should not be in our prison systems.

It is very apparent that a large number of closed child abuse and child neglect cases are "falling through the cracks." Various organizations are to work in conjunction with one another in investigating and closing these cases. These organizations include the District Attorney's Office, The Metropolitan Police Department, the Davidson County Juvenile Court, and The Department of Children's Services (DCS). There is an entity in place to review cases closed by DCS, etc. The Child Protective Investigative Team (CPIT) reviews cases that are currently under investigation. CPIT receives their cases from DCS and the Metropolitan Police Department. The Criminal Investigative Team for Crimes Against Children in the District Attorney General's Office works tirelessly to review these closed DCS cases and make certain that the appropriate measures were taken and/or should be taken to protect these children. This Criminal

Investigative Team genuinely cares about these children and wants to make certain these neglected, abused children are removed from inappropriate situations.

What is being found is that many of these children are slipping through the cracks and are still in harm's way. The Grand Jury recommends that one central common reporting database be established. This would allow the District Attorney's Office, Metropolitan Police Department, Juvenile Court, Our Kids, Nashville Children's Alliance, and The Department of Children's Services to know the history of each child's case, the progress and the current status. These children are the most vulnerable in our society and are defenseless. More must be done to get the child out of an abusive situation as quickly as possible. One case falling through the cracks is one too many. Nashville's children deserve better.

District Attorney General Funk is very concerned about the volume of such cases "falling through the cracks." He reported to the Grand Jury that he is going to enhance the investigative resources for the child abuse and neglect cases in his office to assist in addressing this issue.

In our capacity as a grand jury, we have been uniquely positioned to observe the patterns that contribute to crime in our community. The prevalence of gun violence and gun thefts stands out as particularly alarming. These insights compel us to advocate for a strategic realignment of our city's resources towards not only early intervention programs, but also towards ensuring broad access to existing public and private preventative services is critical in this endeavor.

Some members of the grand jury would like to urge our city and state leaders, including the Mayor, the Metropolitan Davidson County Council and State Legislature, to prioritize support for these crucial programs and to reevaluate our firearm regulations. The implementation of appropriate laws and safe firearm storage practices are basic essentials in addressing the growing number of gun violence cases. Such preventative measures are vital for keeping firearms out of the wrong hands and can serve as a significant deterrent to potential crime.

## **SUMMARY**

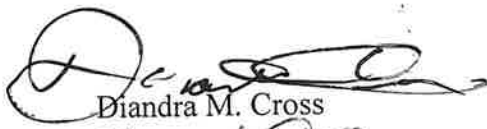
Serving on the Grand Jury was an extremely beneficial, educational experience. Countless hours by police officers, detectives, investigators, special agents, prosecutors, etc. have been spent to make Nashville a better place and a much safer community. Nashville is far ahead of many cities our size in crime prevention and prosecution. The Grand Jury cannot convey our depth of gratitude to these individuals and their efforts in fighting and prosecuting crime in Nashville. We encourage everyone to continue to cooperate to make Nashville a safe place to live and work.

**FOREPERSON:**

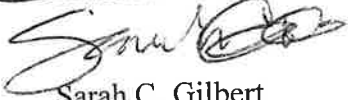


Warner C. Hassell

**REGULAR GRAND JURORS:**



Diandra M. Cross



Sarah C. Gilbert



Cole B. Swafford



Linda K. Schreiner


Megan Valentine



Andrea S. Khalil



Justin M. McDonald



Kimberly W. Cooper, Secretary/Reporter

**Alternate Jurors:**

Lisa A. Denniberg

Robert M. Fields

Donnie L. Freeman

Caroline K. Frost

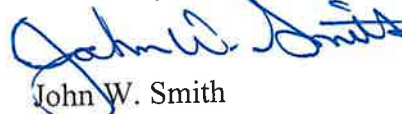


Alexander C. Dollard

Konesha J. Hudson



Martha Ryan M.



John W. Smith



Robert D. Winn



Laura A. Lee



Lisa M. Pappas

Alesia L. Fuqua Haddox  
Rachel C.S. Hansen  
Mary C. Harris  
Alice B. Johnson  
Chloe E. Martin  
Connor C. Merry  
John H. Philpot  
Brianna L. Rushing  
Ernestine Scoby  
Lauren B. Shaw  
Katherine A. Thompson  
Madison K. White