

Davidson County Grand Jury July – September 2023 Session Criminal Court – Division V Judge Khadija Babb

FILED
Davidson County
Criminal Court Clerk
SEP 27 2023
BY JK
Deputy Clerk

Our Davidson County Grand Jury session met on Wednesday and Thursday every week from July 12 to September 27th. We had an active and engaged group of public servants who represented a microcosm of the Nashville community. We were a good mix of women and men that represented a cross-section of Nashville.

Our panel heard 554 cases in total. The vast majority of the cases were domestic violence and DUIs, followed by drug and gun charges. We believe there is a major problem with guns. We noticed there were a lot of repeat offenders. Many of the cases have stuck with us because of their inhumanity. The most difficult cases for us were the murders and the child sexual assault cases. Although the cases were difficult, we tried our best to give indictments that fit the crime.

We heard from various speakers from the community who provided different perspectives:

- Ms. Rafiah McCormick: Community Outreach Coordinator, Tennesseans for Alternatives to the Death Penalty, Victim's Rights advocate and mother of a murdered son
- General Glenn Funk: Davidson County District Attorney
- Mr. Rahim Buford: Executive Director Unheard Voices Outreach, formerly incarcerated person
- Mr. Travis Claybrooks: Director Raphah Institute and restorative justice advocate
- Dr. Sekou Franklin: MTSU Professor of Public Policy
- Ms. Sharon Roberson: Director of the YWCA Domestic Violence Program

We also took two trips to visit the Metro Nashville Community Oversight and was given a presentation about community oversight of policing by Director Jill Fitchard and her staff. We also went to the Metro Nashville Police Academy and took a tour.

Sgt. Fisher presented most of the cases. We felt that he was good at explaining the charges and presenting the cases in a clear and concise manner. He respected our time and obviously prepared in advance so that we could go through the lengthy dockets in a timely manner. He sets a high standard for the presentation of cases.

We would like to acknowledge our remarkable and professional foreperson, Theeda Murphy. Even though this was her first time, she was knowledgeable, patient, and caring about the level of trauma and burden of this work. Her unique qualifications and abilities should be held as a standard for future grand jury forepersons. She also brought snacks. We thank her for making this experience tolerable and enjoyable.

Concerns and Recommendations

Given the number of domestic violence cases, it would be helpful to have a presentation on domestic violence early in the session.

As previous grand juries have noted, we believe there should be stiffer penalties and no bond for habitual offenders.

We think it would be helpful to have a "fact sheet" summarizing and defining the most common legal terms.

We think it might be helpful for someone to go through the previous grand jury reports and take note of the repeated recommendations because we noted from previous reports that we have the same concerns and nothing seems to be done about them.

We were shocked at the number of drug offenses and how these offenses are charged. There is too much discretion to what is charged by the officer at the scene. We also noted that there were a lot of inconsistencies in charging in general which we found hard to understand. For example, charges we felt should have been kidnapping were charged as false imprisonment on more than one instance.

We had a juror with hearing issues who wanted to serve but because of the old microphone, which previous grand juries have complained about, she was unable to continue. Although we raised the issue with the DA's office and the judge, there could not be an accommodation for her and she had to drop out.

When defendants are charged with multiple counts, please specify the number of counts of each charge and which charge applies to which defendant. (This was also recommended by a previous grand jury.)

We would like for officers to receive training on the presentation of cases.

On orientation days, it would be good to have time for us to learn something about each other.

Alternates should also be given an orientation so that they are not thrown in cold in the middle of a session.

We would have liked to have more presentations from the Mental Health Court and Drug Court.

We recommend that Grand Jurors can be instructed that they can ask for more information to be brought back at a later time in the session.

We recommend that within two months after the report is posted on line, the District Attorney's office should post a response online. We feel that will help with follow through on the concerns raised in the report.

It would be helpful to have short orientation videos which explain the basics of the judicial process. It might be helpful to have these online and so that jurors can watch them before they report.

We would like a microwave in the break room.

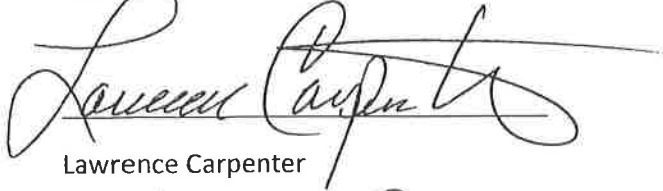
Summary

In summary, we feel the experience was educational and that every Nashville resident should have the opportunity to participate in this important civic duty.

Regular Grand Jurors



Ryber Ali



Lawrence Carpenter



Kristen Downs

Angelique Harding

Christopher Kagley



Kathie Taylor



Matthew Westphal

Grand Jury Alternates

Barzinji, Hasan

Benson, Cecil



Nikia Batchelor-Funicello



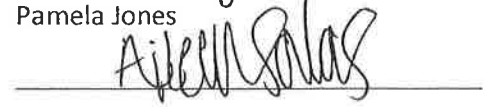
Abigail Demarest



Susan Hammer



Pamela Jones




Aileen Salas

Addison Waege



Linda McMillan



THEEDA MURPHY

Burbank, Nathan
Clement, Zachary
Cochran, Robert
Creston, Valerie
Daily, Collie
Duncan, William
Harris, Miller
Jenkins, Tiffney
Jester, Timothy
Kamal, Kristen
McCormick Jeffrey
McDugle, Shalena
Mohammadi, Fardin
Morel, Nina
Phillips, Leda
Robbins, Cherie
Stubblefield, Elizabeth
Walker, Jonathan