

# **Final Report of the Grand Jury**

Criminal Court, Division II

Judge Angelita Blackshear Dalton

October-December 2022

Davidson County, TN

Parker Toler – Foreperson

<b>Regular Jurors</b>	
Laura Harbison	
Amir Malone	
Nunzia Giuse	
Kelton Buxton	
Pat Francescon	
Paula Bryson	
Kiana Thomas	
Alicia Bunch Vargas	
Robert Fitters	
Derek VanDunse	
Karen Hutchens	
Lauryn Hyman	
Joshua Murphy	

I think we can all agree that after we heard our name called for Grand Jury Duty, we all let out a small groan of discontent. Some of us didn't even know what a grand jury was, most had never done something like this before and were not completely confident in our abilities, while others had served on regular juries before. Most of us had no idea what to expect from our time here and couldn't even guess what we would be learning and doing. We were reminded daily that it is not up to us to determine innocence or guilt but to determine whether or not the person or persons are probably guilty of the crime and if there was enough evidence. At times we deliberated quickly and other times it seemed like we could deliberate for hours.

Our group of jurors is a curious group. Many questions are asked for a majority of the cases as we want to be sure we have all the facts in determining our fully formed thoughts on each case. We are lucky to have a group that speaks up with their questions because it could be something pertaining to facts of the case that no one thought of before or even something another juror was thinking but might be too hesitant to ask.

We were especially grateful for the first few days to have guest speakers come in and talk about their respective areas of work. Topics up for discussion were domestic violence, child abuse, alternative police strategies, and investigating crime scenes and new technologies implemented. Our speakers were very detailed in giving us a lot of information and defining things we were unsure of. It was not always easy to hear but they did their best to prepare us for the types of cases we would be hearing during our time on this grand jury. They gave examples and helped define terms that we would hear and talked about specific charges that would come through to us.

We also appreciated learning about the officers on duty and what their training required. It was nice to hear that officers are receiving training in mental health. Many times, if they are responding to calls having to do with mental health, they will have a clinician ride with them to help navigate the issue. They are looking to help more than arrest. We also learned that there is a separate court for cases with defendants with mental health issues where they can provide resources and assist with any help they might need. The biggest question that gets asked during these times is, "Can this person take the help and maintain the aid?"

Each day that we met we were given a list of cases we would hear, and it seemed as if each day the list grew and grew. We had a mix of different people come to present the cases. Sometimes it was officers or detectives directly involved in the case and other times it was someone who was just assigned to present. It was extremely surprising to hear that some of these cases occurred sometimes two to three years prior. Most of the time we had one detective presenting a majority of the cases and we would have some other officers or persons come in and present cases they had specifically worked on.

For the future, I think it would be nice to know how the bond system works and how so many convicted persons make bail. We heard cases with defendants having more than 30+ convictions that were released after making bail until the case was heard by this grand jury. How does this person keep getting back into society to commit more crimes prior to an indictment?

### **Domestic Violence Cases**

These types of cases were predominately what we heard over the course of our session. Mostly Aggravated and Domestic, some tied together in one case. It seems everyone wants to solve all their problems with violence and guns. No matter what the situation or how silly the argument, violence and drugs/alcohol are involved. A lot of cases we heard had repeat offenders and repeat victims which was unfortunate.

### **Child Abuse Cases**

These were especially hard to hear. Children are so innocent and should not be subjected to the violence of the world so early. Sadly, we heard mostly sexual abuse cases and it's impossible to understand why this happens and disturbing to know that it happens more often than it should. It's something you think doesn't happen and you only hear about it on TV shows, but when it is your own city, it makes you want take action and do something to help.

### **Criminal Activity/Possession of Firearms Cases**

Robbery, Burglary, Theft, Vandalism, and possession of firearms fall into this category. We definitely heard our fair share of cases like these too. It's difficult to understand how easily felons get access to these weapons. What can we do to prohibit that? Is there anything being done to the gun laws to make it tougher to gain access?

### **Substance Abuse Cases**

Many cases relating to substance abuse were heard as well. These would include things like, DUI, possession of controlled substances, intending to sell controlled substances, and drug paraphernalia. We quickly learned that substance abuse and mental health drive crime. I would say more often than not, the cases we heard had some sort of substance abuse wrapped up in the crime.

### **Murder Cases**

Our grand jury is especially sensitive to these types of cases. We deliberate the most over these and carefully consider everything that is presented to us. It was especially difficult to comprehend the 1<sup>st</sup> Degree versus the 2<sup>nd</sup> Degree charge. We felt that every time this came up that the examples given to help us were different. We never got a consistent response to help us here. We heard extremely similar cases that were charged differently, and we just could not understand how the specific charge was reached for that case. If we could have the people presenting the case give us a better understanding as to why or how that charge applies, it might help us.

Total Working Days: 18 Days  
Total Cases Presented: 503  
Number of True Bills: 502  
Number of No True Bills: 1  
Drug/Alcohol Related Offense Charges: 169  
Assault Charges: 193  
Crimes Against Children: 54  
Cases involving Firearms: 105  
Murder Charges: 31  
Theft Charges: 148  
Burglary/Robbery/Vandalism Charges: 147

### **Suggestions**

-We felt that as the term went on, the practice of asking questions about the case got a little diluted. We learned that the foreperson is supposed to ask questions first, then open the floor up to the rest of the jurors. This is a great system, but it didn't happen every time and definitely got out of hand sometimes. If someone has a question, raising their hand and waiting to be called on would be the best way to handle this so as not to interrupt anyone's thought.

-If the grand jury has a large case load to hear that day, can they be prioritized by charge. If there is a case with a murder charge, that that take precedent over something with a lesser charge. Mostly because some cases are straight forward while others have the grand jury going back and forth and discussing the facts. Just want to make sure that we aren't saving something big for the end when everyone is tired and ready to leave. Want to give our full attention to all cases appropriately.

-In the past, other grand juries were able to visit different sites that would relate to their time on the grand jury, the jail or a crime lab. I can see how pre covid this was more likely to occur, and now, post covid, there are all sorts of worries about traveling and going into unknown locations. This could be beneficial to jurors to hear from people working in the actual sites.

-We also feel that the \$10 per day stipend could be increased to match the cost of living in our city. We aren't sure the last time this was increased, maybe not at all. If we are driving in the heart of downtown to be on the grand jury from anywhere between 3-5 hours twice a week, we feel a pay increase would be beneficial.

Regular Jurors	Alternate Jurors
Laura Harbison	<i>[Signature]</i>
Amir Malone	<i>[Signature]</i>
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Warner Hassell (Warner Hassell)