FINAL REPORT
JULY 2007 GRAND JURY
JUDGE STEVE DOZIER
DIVISION ONE CRIMINAL COURT
TRIAL COURTS OF DAVIDSON COUNTY, TENNESSEE

As a **Grand Jury**, we present the following **report** on our findings for the **July 2007** term in ***Judge Steve Dozier's Criminal Court***. *First, we respectfully acknowledge the honor and* privilege of serving in this capacity. As a body, we stand with a better awareness and appreciation for the criminal justice system and the governing authorities of Davidson County.

Serving under the direction of our foreman, **Stan Fossick**, has been a wonderful, rich, and enlightening experience. His leadership and knowledge is invaluable in numerous ways, and we are thankful for the blessing and opportunity this has been. His presence has made a difference in how we interact with each other as a group, and how we have been able to interpret and act upon the task at hand.

Mikayla Matthews *from the* ***District Attorney's Office*** *gave us an orientation of the way the* system is structured, briefing us on the responsibilities of a grand jury. The generalities of felony or criminal acts were explained, and throughout our term we relied on the legal expertise offered by the D.A.'s office. We quickly dove into the business at hand and caught on to our job with ease.

At the beginning of our term we received an information session from a Metro Police Officer on **drugs**. The specifics and details on types of drugs that are on the street and the laws that pertain to drug-related offenses helped us greatly in doing our work. Additionally, useful information was presented by **Capt. Rita Baker** of the **Domestic Violence Unit**. We enjoyed and benefited *from the various educational trips we made to the* ***police training academy***, *the* ***juvenile justice center***, the **medical examiner's office, Riverbend** maximum security prison, and **Judge Seth Norman's drug court.** We were educated and informed by various speakers such as **Mayor Bill Purcell, Metro Police Chief Ronal Serpas,** and two religious leaders in the community who support Nashville's youth- **Rev. Turner** and **Father Breen**, The details and specifics gained from these activities and speakers enlightened us on the state of criminal activity and helped us in our attempt to make sound reliable judgment.

The following observations are offered after careful thought and consideration.

I. Crime *exists in our city on a very real level, and is quite apparent to each of us.* Of special notice is the number of cases presented to us involving **gang-related crime**. The problem seems to be growing, based on the number of gang-related cases we have seen. **Drugs, guns**, and **violence** and their related crimes go hand-in-hand with the gang issue. This social problem is rapidly **increasing** in Nashville and is clearly evident in the ever-increasing amount of youth-related felonies committed here. While the police department is proceeding in the right direction to gain control of gang activity, our **concern** is whether Nashville leadership as a whole is doing everything within its power to curtail the situation. It is encouraging that the **gang task force**

unit has **doubled** in size within the past year, **but** because of the **proportion of gang-related crime** to the **crime rate overall**, the Grand Jury wants to see **more resources, both financial and manpower**, placed on this priority situation. We feel strongly to this end, as the **number of gang members in Nashville continually increases.** Considering that all human life is sacred and of value, the rationale that gang crime is mostly targeted toward rival gangs should not be the driving force behind how to solve this problem. The point is that we do not want **ANY** gang activity in Nashville!

Within the topic of ***youth crime*** *is the* ***juvenile justice division*** *of our criminal court system.* Our eyes were opened during our discussion with **Judge Betty Adams Green**. Problems exist in the system, and the Grand Jury feels strongly that **more state legislation needs** to be passed to address the **punishment and sentencing for offenders under age 18**. Our understanding is that **no new legislation has been passed regarding this problem since the early 1990's**. Given that the **youth crime rate has rapidly increased, this needs to be given priority attention**. Too many young people are not being duly sentenced for committing serious crimes, including **murder.** This is quite troubling, and we move that swift and decisive action be taken to address this serious, disturbing situation. **We want the message to get across that criminal activity will NOT be tolerated in Nashville, and that serious consequences await offenders.**

II. Domestic Violence is a continuing social issue. Many cases we heard involved domestic crimes, and we see a real need in having this problem addressed. **Capt. Rita Baker** presented us with many facts regarding domestic violence, and we urge the city to work to **continually fight it**. We heard numerous cases involving **child neglect, child abuse and sex-related crimes committed against children**. These cases were absolutely the hardest ones to listen to, especially when some resulted in deaths or serious bodily and emotional harm to these innocent victims. The **sex crimes unit** within the police department is to be commended for the awesome task they face in doing their jobs every day. **The Grand Jury implores the city leadership to place more resources toward education and prevention of child abuse and domestic violence**. *So much needs to be done on a primary level to prevent these crimes.* Nashville needs to take a stand through increased awareness and non-tolerance of this problem through educational forums and training on the risk factors and early signs of these problems.

III. We were literally inundated with DUI cases. Some of them were **misdemeanors,** and perhaps should have been handled in **general sessions court**. The same holds true for cases of **suspended drivers license charges. A good deal of time and energy was put into handling these smaller issues, and we are in agreement that the effort of the grand jury should be placed on higher priority cases**. We propose that **swift penalties** be mandated for **DUI** offenders in Nashville. We listened to well over 150 cases involving DUI offenses, many of them being 2nd convictions and beyond! One suggestion that we as a grand jury agree upon is **having a separate court and possibly a special jury to hear DUI cases**. There are so many **repeat offenders** that our system is **flawed** with drunk drivers having no fear of punishment or penalty. **There must be some solution or possibilities on how to handle these cases in order to better serve and protect society from this horrific danger.**

IV. The Metro Police Officers did an **outstanding job** presenting their cases to the grand jury. We all have developed a newfound **respect, appreciation** and **admiration** for these **brave** and **dedicated** members of our society. The mutual working relationship that exists between the officers and the grand jury is an important one that we saw as being **productive** and **effective**. Frustrations exist on the part of the grand jury members and the presenting police officers over situations that seem avoidable and would allow all of us to perform our jobs more effectively. Namely, cases that are **misdemeanors** which are bound over to the grand jury and the large number of officers who are required to take care of grand jury business on their scheduled day off. We would suggest **better planning** in order to curtail these situations. Our final day ended with a message from **Chief Ronal Serpas** of Metro Police. We are pleased with the amount of time and energy he and so many others place toward making Nashville a safer place to live. He stated that **communication is the biggest challenge within the police force**. He emphasized the many improvements that have come to the department within his tenure, namely the new precincts that have been built, the new "crooks with guns" law to go into effect 1/1/08, the pay increase across the board and the projected new system of computerized records management to be implemented by 2009. All of these will help the police in their ultimate goal of **serving the public first.**

It was evident to us early in the process that **gang violence, drugs, and weapons are the biggest crime problems in Nashville**. We echo the sentiments of **mayor-elect Karl Dean**, who will be sworn in on September 21, 2007, also the last official day of our Grand Jury term. He will concentrate police resources toward **high-crime** areas by working at **removing illegal guns** from **youth, convicted felons, and drug dealers**; and create a **"violent youth offender"** enforcement unit. This is positive and hopeful for our city, and as a Grand Jury we support these goals.

Going into this process, none of us realized the **magnitude** and **depth** of the issues to which we would be exposed. This grand jury is a true cross-segment of our society, and we quickly realized how **sheltered** most Nashvillians are to the **true reality** of crime. We were disturbed by so much of what we saw; however, **we did our very best to represent the Grand Jury in what it is called to do**. Nashville is a continually improving work in progress, and we share great esteem and high hopes for our beloved city. We all relish the experience and feel honored to have participated in the process of the criminal justice system. We heard a total of **870** cases, with **11 "No true bills."** We present these findings in good faith and with gratitude.

Sincerely,

Members of the July 2007 Grand Jury

Stan Fossick, Foreman

Kelly Akin

Sean Carr

Yvonne Claybrooks

Leroy Cox

Bryan Dotson

Tony Fawbush

Thurston Frierson

Leketia Johnson

Avis Moni

Deborah Tipton

Martha Wells

Estella Whitaker

Alternates:

Betty Abner

Donna Jones

Adam Barese
Mary Humphreys
David Bowling
Tracey Hatcher

Jane Barnete