Final Report
Of the
Grand Jury

April 2000 Term

To

The Honorable Randall Wyatt
Judge, Division II,
Criminal Court
Davidson County Tennessee

Pawn Shops

A presentation was made to the Grand Jury regarding the availability of tracking software to pawn shop owners (at not cost). Currently there are 104 pawnshops in Davidson County. Of the 104, 11 are reporting transactions by floppy disk to the police department and only 2 are using the available PC Pawn software. Out of the 750,000 transactions per year, convicted felons conduct an overwhelming number. Over 18,000 firearms per year pass though pawn shops.

There was a law presented to the State Legislature requiring those shops whose transactions exceed 35 per week would be required by law to provide electronic filings with the police department.

We are greatly disappointed that our elected state legislators were not able to pass into law Bill SB2560 / HB3218 and that pawnshop lobbyist were able to sway votes to continue a cycle of review/defer on this bill. If representatives from both law enforcement and the TN Pawnbrokers Association were able to reach a compromise, it seems that legislators would see the necessity for such action.

Swap Shops currently are under no regulations. A state law is not required to force compliance by these establishments. A local ordinance can be enacted that would require all swap shops to report transactions to the police department.

Implementation of both a state law and a local ordinance requiring pawn shops and swap shops to electronically file transactions with the police department would greatly improve identification of stolen property and result in more arrests of burglars.

In addition, education material should be provided to the public as to the importance of retaining serial numbers and/or having identifying marks on their property. This would increase the opportunity for stolen items to be returned.

During the April Term of 2000, we served as the Grand Jury for the Criminal Court of Davidson County. We appreciate being given the opportunity to fulfill this obligation. It has been an honor to server your court and the community in which we live.

During our term, we heard 610 indictments

- Over 75% were directly or indirectly drug/alcohol related
- Of burglary, property if recovered, was found in pawn shops
- 65 % of indictments were of individuals under age 25
- Most drug related indictments were repeat offenders
- Domestic violence has significantly increased and was almost always drug or alcohol related

Session Times

The majority of the cases heard were presented by police officers, who for the most part were well-prepared, dedicated and conscientious civil servants. They work under very difficult and dangerous circumstances. They deserve total support and respect from the community and the courts. It is therefore, our recommendation that the Grand Jury convene at 8am each session (no later than 8:30am) and that all efforts be made to coordinate officers work schedules accordingly (night shift officers first).

Domestic Violence

There were a significant number of cases presented that were related to domestic violence. Whether this violence is drug or alcohol related, we feel a separate jury should be convened one day a week to hear all and only cases related to domestic violence. Wherever possible, the drug court should intervene in domestic violence related incidents.

Mayoral Visit

The honorable Bill Purcell joined us for an informal session at which time we discussed an overwhelming need for funds to be made available to provide laptop computers for all police officers. Many times during our case reviews, officers would be asked "do you have a laptop computer in your patrol car?" Those responding 'yes' found them an invaluable tool in their day to day activities; greatly decreasing the opportunity for criminals with outstanding warrants to be freed and greatly increasing the ability to identify stolen automobiles. In a memorandum issued on May 12, we were assured that 500 new laptops were being issued to uniformed officers at the rate of 60-80 per month. In addition, the Mayor stated that interactive pagers would be provided to bike patrol, horse patrol and foot officers enabling them to communicate information to computers and to respond.

We would recommend that all officers have laptops available in the use of their duties by the end of calendar year 2001.

Special Reports

During the course of our term, we were asked to serve as an independent civilian review board in three cases involving fatal shootings by police officers. Our review included the following:

- Reading voluminous case files and documents provided by the District Attorney General's office
- Hearing detailed testimony from the primary investigate officer in each incident
- Hearing testimony from witnesses in addition to those representing the District Attorney or the Police Department
- Traveling to the sites where incidents occurred (while out of session)
- Review of information (tapes and videos) submitted to us from sources outside the investigate agency

If was our conclusion that the officers were warranted in using deadly force in each of these instances to protect themselves or those around them.

In addition to reviewing the police shootings, we were asked to review an incident between a teacher and a student at Goodlettsville Middle School. Our review included the following:

- Testimony from the Goodlettsville Police Department and review of police reports
- Review of school and board of education records including statements relating to the incident by witnesses
- Reviewing testimony from the teacher, the school principal, a representative of the Board of Education, and an intervening teacher

Our conclusion finds improper handling of the incident by the school administration and the Board of Education. A clear policy should be made by the Board of Education as to appropriate handling of a student by a teacher that will allow a teacher to maintain respect from students and still retain control of the classroom.

Site Visits

During the time we have been serving on the Grand Jury, we were privileged to have had several presentations made to us and been able to make many site visits to institutions throughout the system.

- Our first presentation was from the captain of the vice squad. We were introduced to terminology and drug samples related to the illegal drug industry. This provided us with more insight to the cases that were being presented before us.
- Several jurors attended night court allowing us to see the beginning stages of the criminal process.
- Other jurors rode patrol with officers, giving a first hand account of what officers face in their day to day duties.
- All jurors attended a visit to the training academy.
    - Each individual went through a shoot/don't shoot video exercise. This proved valuable in understanding what reaction is required by each officer
    - Each willing juror received a helicopter tour. During one tour, the pilot was called to assist a patrolman in surveillance of a suspect.
    - The Bomb Squad detailed their roles, responsibilities and equipment. Their actions were required during a recent pipe bomb incident.
    - The K-9 patrol training was demonstrated. We find this training extremely valuable and feel it should be expanded.

Jurors also visited the Juvenile Justice Center. We want to commend the employees for their endurance and tolerance of such a cramped and inappropriate working environment. Not only are employees housed next to furnaces and in closets, they are subjected to a potentially serious fire hazard (legal requirements for the paper document storage). One recommendation is to enact a law that allows for electronic storage of records thus reducing the amount of paper storage required.

Our last visits were to the state penitentiaries both the men's and the women's. We found the men's prison to be well managed and surprisingly clean. Upon hearing about the drug problems inside the prison, we learned that the K-9 officers were cut from the budget and that searches of visitors have been limited to pat down searches. We would recommend reinstating the use of K-9 officers to help reduce the influx of drugs into the prisons. This would help reduce prison violence and make a safer environment for the guards. Our visit to the women's prison found many policies and procedures in place but once inside the gates found security very lax.

Joe Barnes

Jeff Hollingsworth

Minus Batey

Suzanne Key

Tarcila Fox

Donald Morton

Brenda K. Fuqua

Brian Pillow

Daniel Green

Gillian Prichard

Tammi Hessey

Connie Sheets

Stan Fossick, Foreman