

**REPORT OF THE REGULAR GRAND JURY**

**April 24, 2013**

**Presented to**

**The Honorable Rebecca Stern**

**Judge, Criminal Court**

**Division II**

**Hamilton County, Tennessee**

The Honorable Rebecca Stern  
Judge, Criminal Court Division II  
Hamilton County, Tennessee

Judge Stern:

The Regular Grand Jury for the January – April, 2013 term, presents the following Report:

The members of the Grand Jury agree that serving on this panel has been an “eye opening” experience. Listening to the various witnesses testify about allegations of criminal activity, learning about the Criminal Court System, hearing the presentations by the three (3) Criminal Court Judges, touring the County Jail, Silverdale (CCA) facility and the Juvenile Detention Center, and hearing the presentation about the Community Corrections Program has given the Jurors insight into the Criminal Justice System, that few Hamilton County citizens ever get to experience.

Also, hearing first-hand about the dangers faced by our law enforcement personnel, on a daily basis, gave the Jurors a better appreciation of the work these individuals do to protect the citizens of Hamilton County.

The Jurors encourage all citizens who have the opportunity to serve as a member of a Grand Jury to do so.

We appreciated the legal information provided by Assistant District Attorney, Jerry Sloan, and Christina Palmer for serving as our notetaker this term.

This term, the Regular Grand Jury is tasked with reporting on the County Jail and Juvenile Detention Center.

## **HAMILTON COUNTY JAIL**

### **COMMENDATIONS:**

1. Even though the officers in the County Jail work under “less than desirable conditions”, they appear to approach their job with a good attitude, dedication, professionalism and a concern for the well-being of the inmates. (The County is fortunate to have individuals of this caliber working at this outdated facility.)
2. The medical clinic provided for the inmates is a very effective, cost saving approach, since it alleviates having to transport numerous inmates to Erlanger Hospital for routine medical procedures.
3. The kitchen supervisor, Mr. Hughes, is to be commended for providing nutritional meals to the inmates, while at the same time utilizing procedures which save the County taxpayers money.

problem might start the process to “turn him/her around”. Remember, “It takes a village to raise a child”.

2. Reinstate the Intensive Probation Program, which was eliminated a few years ago, due to the reduction of State funding. This program, which targeted “last chance” young people was very successful and much less expensive than housing these individuals in a State facility.

3. The administration should inform appropriate organizations, educational, religious and civic, of the need for volunteers to work at the Juvenile facility.

4. The administration should have posters in the Center providing information regarding (a) appropriate life choices for young people, (b) agencies which can provide assistance, both on-site and/or by telephone to the families, and (c) healthy eating habits.

5. The walls at the facility should be painted a brighter, more cheerful color. Also, murals and/or artwork by the offenders could adorn the walls.

6. The cafeteria workers and staff of the facility should work together to teach the children about nutrition.

7. The caseloads of the probation officers appear too high to provide significant assistance to help turn the young offenders into productive citizens.

8. An appropriate Juvenile Judicial Official needs to be available each weekend Friday evening to Monday morning to authorize attachments in order to arrest a minor accused of a serious crime.

### **CRIMINAL JUSTICE SYSTEM**

1. The County needs to fully fund the Crisis Intervention Team (CIT) manager position. Since approximately thirty-five percent (35%) of incarcerated individuals have some type of mental issue, this position will help insure appropriate treatment for those inmates. This will help reduce the number of incarcerated individuals in the County.

2. Based on the cases that we have heard this Term, it appears that more than one-half (1/2) of these cases, should have been settled at the City or Sessions Court level. This would permit felonies to move through the three (3) Criminal Courts faster. Prosecutors and defense attorneys are encouraged to work to settle misdemeanor cases, instead of the cases going to the Grand Jury. Hamilton County has a greater percentage of cases going to Criminal Court than Knox County, which is similar in population.

3. All scrap yards which accept vehicles, should be required to provide the City and County law enforcement agencies a daily report of all vehicles purchased by the business. Also, the businesses should keep purchased vehicles for at least seven (7) days. It should be a State criminal offense for a scrap yard to knowingly purchase a stolen vehicle.

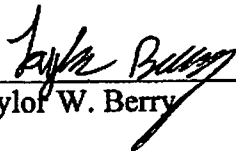
4. The State needs to re establish at least two (2) additional drug testing laboratories, in order to reduce the time a case has to be “held” prior to finally being resolved.
5. The County needs to establish a Mental Health Court similar to the one currently operating in Nashville. Since this Court would have trained individuals to assist in the decision making, there would be a reduction in the amount of time and money spent for law enforcement and jail personnel to work with these defendants.
6. Any time that a minor is present when a felony is committed, the parent(s) or legal custodian(s) should be charged with an additional felony – child endangerment.
7. Any computer available to the general public, such as at a public library, should have a filter to block any type of pornographic site.
8. Any crime committed against children, adults who are physically or mentally impaired, or any individual over 70 years of age should result in an enhanced charge.
9. In order to reduce the number of cases heard by the Grand Jury, and reduce the number of cases proceeding to Criminal Court, the State Legislature should consider legalizing the possession of a small amount of marijuana, which is not packaged for resale.

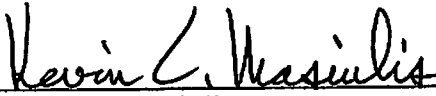
#### **CASES HEARD THIS TERM**

The Regular Grand Jury for the January-April, 2013 term heard witnesses testify on 639 cases.

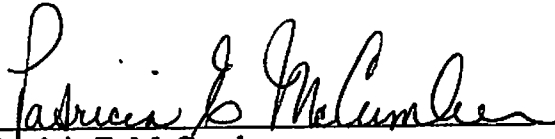
Respectfully submitted,

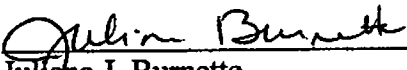
Regular Grand Jury

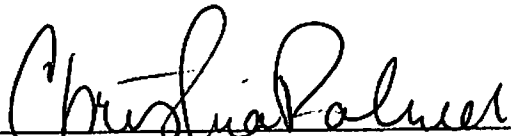
  
Taylor W. Berry

  
Kevin C. Masiulis


  
Kevin M. Bartenfield

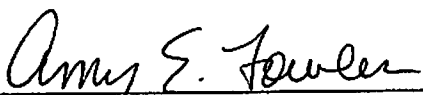
  
Patricia E. McCumber

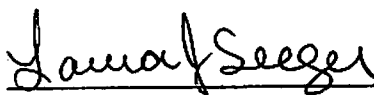
  
Juliana J. Burnette

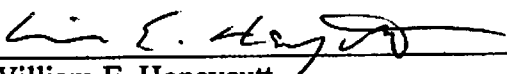
  
Christina S. Palmer


  
Michael K. Duquette

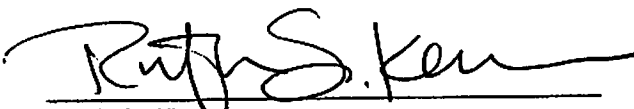
  
Dewayne J. Rachels

  
Amy E. Fowler

  
Laura J. Seeger

  
William E. Honeycutt

  
Susan D. Stevens

  
Ruth S. Kern

  
Robert A. Smith, Permanent Foreperson