

COUNTY COMMISSION-CALLED SESSION

NOVEMBER 7, 2019

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN CALLED SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS THURSDAY EVENING, NOVEMBER 7, 2019, 3:00 P.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE RICHARD VENABLE, COUNTY CHAIRMAN, TERESA JACOBS, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Chairman Richard Venable. County Chairman Richard Venable opened the commission and Comm. Joe Herron gave the invocation. The pledge to the flag was led by Sheriff Jeff Cassidy.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

	JOE HERRON
JUDY BLAYLOCK	MARK A. HUTTON
TODD BROUGHTON	SAMUEL "SAM" JONES
MICHAEL B. COLE	TONY LEONARD
LARRY CRAWFORD	HUNTER MICHAEL LOCKE
	RANDY C. MORRELL
JOYCE NEAL CROSSWHITE	ANGIE STANLEY
JOHN GARDNER	ALICIA D. STARNES
HERSHEL GLOVER	MARK A. VANCE
	DOUG WOODS

17 PRESENT 7 ABSENT (ABSENT-AKARD, CROSS, CALTON, GEORGE, HARKLEROAD, KING, STIDHAM)

The following pages indicate the action taken by the Commission on filing of Resolution #2019-09-77 for Sullivan County Justice System officials to develop and present to the county commission within 60 days methods and plans to reduce in the short-term inmate population in the Sullivan County Jail.



### Order Confirmation

**Ad Order Number**

0001494017

**Sales Rep.**

sedwards

**Order Taker**

sedwards

**Customer**

SULLIVAN COUNTY MAYORS OFF

**Customer Account**

1068452

**Customer Address**

3411 HWY 126, SUITE 206  
BLOUNTVILLE TN 37617 USA

**Customer Phone**

4233236417

**PO Number**

**Ordered By**

ANGELA BENNETT TAYLOR

**Customer Fax**

**Customer EMail**

angela.taylor@sullivancountyttn.gov

**Tear Sheets**

0

**Affidavits**

1

**Blind Box**

**Invoice Text**

**Net Amount**

	<b>Total Amount</b>	<b>Payment Method</b>	<b>Payment Amount</b>	<b>Amount Due</b>
	\$93.28	Check/Money Order	\$0.00	\$93.28

**Ad Number**

0001494017-01

**Ad Type**

XLegal Liner

**External Ad Number**

**Ad Size**

2 X 22 li

**Color**

**Order Start Date**

10/29/2019

**Order Stop Date**

10/29/2019

**PUBLIC NOTICE  
CALLED SPECIAL MEETING OF SULLIVAN COUNTY  
COMMISSION**

Notice is hereby given to all interested persons that Sullivan County Mayor, Richard S. Venable, serving as Chair of the Sullivan County Commission will call an open public meeting of the Board of Commissioners at 3:00 p.m. on Thursday, November 7, 2019 to be held in the Commission Room, Sullivan County Courthouse, 3411 Hwy 126, Blountville, TN. The meeting will be to receive information, discuss, and potentially make recommendations or develop a plan to reduce the inmate population in the Sullivan County Jail. A presentation by Michael Brady, Inc. will be made at 5:00 p.m.

PUB1T: 10/29/19

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Agenda subject voting report

Meeting Name

Called Sullivan County Commission November 2019

11/7/2019

- 2 Roll Call by Teresa Jacobs, County Clerk
- Attendance
- Roll Call

Description

Chairman Venable, Richard

**Voting start time** 3:03:44 PM  
**Voting stop time** 3:04:04 PM  
**Voting Configuration** Roll Call - Attendances  
**Voting mode** Open  
**Vote Result**

Present	17
Total Present	17
Absent	7

Group Voting Result

No group	17	7
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Total Results

Individual Voting Result

Name	Present	Absent
Akard, David ()		X
Blalock, Judy ()	X	
Broughton, Todd ()	X	
Calton, Darlene ()		X
Cole, Michael ()	X	
Crawford, Larry ()	X	
Cross, Andrew ()		X
Crosswhite, Joyce ()	X	
Gardner, John ()	X	
George, Colette ()		X
Glover, Hershel ()	X	
Harkleroad, Terry ()		X
Herron, Joe ()	X	
Hutton, Mark ()	X	
Jones, Sam ()	X	
King, Dwight ()		X
Leonard, Tony ()	X	
Locke, Hunter ()	X	
Morrell, Randy ()	X	
Stanley, Angie ()	X	
Stames, Alicia ()	X	
Stidham, Gary ()		X
Vance, Mark ()	X	
Woods, Doug ()	X	

NAMES OF COMMISSIONERS

*Roll Book*

May Aye Nay Aye Nay Aye May Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay

843

- Akard A
- Blalock ✓
- Broughton ✓
- Calton A
- Cole ✓
- Crawford ✓
- Cross A
- Crosswhite ✓
- Dardner ✓
- George A
- Gleves ✓
- Harkness A
- Herron ✓
- Hutton ✓
- Jones ✓
- King A
- Leonard ✓
- Locke ✓
- Murrell ✓
- Stanley ✓
- Starnet ✓
- Stidham A
- Vance ✓
- Woods ✓

Cross in @ 3:05 pm 17 Present  
 Akard in @ 3:30 pm 7 Absent  
 King in @ 3:42 pm  
 Stidham in @ 4:00 pm  
 Calton in @ 5:00 pm  
 Adjourned @ 6:50 pm

***Sullivan County***  
***Board of County Commissioners***  
***239<sup>th</sup> Annual Session***

Thursday, November 7, 2019  
6:00 p.m.  
*Agenda for Special Session*

\* \* \* \* \*

- Call to Order by Chairman, Richard S. Venable
- Invocation
- Pledge to the American Flag
- Roll Call
- Public Comment
- New Business

Item # 1

Resolution No. 2019-09-77 – Approved at October 17, 2019 meeting

Sponsors: Starnes/ Broughton

RESOLUTION FOR SULLIVAN COUNTY CRIMINAL JUSTICE SYSTEM  
OFFICIALS TO DEVELOP AND PRESENT TO THE COUNTY  
COMMISSION WITHIN 60 DAYS METHODS AND PLANS TO REDUCE IN  
THE SHORT-TERM INMATE POPULATION IN THE SULLIVAN COUNTY  
JAIL

- Announcements / Non-Agenda Items
- Adjournment

845

*Sullivan County*  
*Board of County Commissioners*  
*239<sup>th</sup> Annual Session*

Item 5  
No. 2019-09-77

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 19<sup>th</sup> day of September 2019.

**RESOLUTION FOR SULLIVAN COUNTY CRIMINAL JUSTICE SYSTEM OFFICIALS TO DEVELOP AND PRESENT TO THE COUNTY COMMISSION WITHIN 60 DAYS METHODS AND PLANS TO REDUCE IN THE SHORT-TERM INMATE POPULATION IN THE SULLIVAN COUNTY JAIL.**

WHEREAS, the inmate population of the current Sullivan County Jail needs to be reduced as soon as possible; and

WHEREAS, expansion of the Sullivan County Jail will take at least three years to complete; and

WHEREAS, philosophical ideas and plans addressing long terms approaches to criminal justice are relevant to long term plans but do not address the short-term needs of the Sullivan County Jail; and

WHEREAS, methods capable of being implemented and reducing inmate population in the short term are needed; and

WHEREAS, Sullivan County officials involved in the criminal justice system are in the best position to identity methods, predict their effectiveness, and develop plans to reduce jail inmate population now.

**NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby requests that the following Sullivan County Officials work together and develop a plan or plans recommending methods and identifying their expected effectiveness to reduce the inmate population of the Sullivan County Jail in the short term and present such plan(s) to the County Commission of Sullivan County within 60 days of the passage of this Resolution:**

- Sullivan County Sheriff
- Sullivan County District Attorney
- Sullivan County Public Defender
- Sullivan County Criminal Court Judges
- Sullivan County General Sessions Judges

This resolution shall take effect from and after its passage. All resolutions in conflict herewith shall be and the same are hereby rescinded insofar as such conflict exists.

Approved this 17th day of October, 2019.

No. 2019-09-77

Attest:   
Teresa Jacoby, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsored By: Commissioner Alicia Starnes**

**Co-Sponsor(s): Commissioner Todd Broughton, Commissioner Mark Hutton, Commissioner Joe Herron**

2019-09-77 ACTIONS: 09/19/19- Commission 1<sup>st</sup> Reading; 10/8/19 – positive recommendation by Executive unanimous; 10/8/19 – positive recommendation by Administrative unanimous; 10/17/19 – Approved as amended 18 Yes, 1 No, 3 Abstain, 2 Absent

Comm. Joe Herron made a motion to amend to add an additional WHEREAS stating: WHEREAS this Commission is requesting the County Mayor to arrange a Called Meeting of all individuals and/or departments listed below, as well as this commission, to meet in this Commission Room within the next 30 days for the purpose of discussing and evaluating ideas that will curtail jail population, as well as reduce overall expenses and liabilities attached to same.

Amendment was accepted by Sponsor.

A Called County Commission meeting was held on Thursday, November 7, 2019 at 3:00 pm. The purpose of this meeting was to discuss Resolution #2019-09-77 which calls for Sullivan County Justice System officials to develop and present to the County Commission within 60 days, methods and plans to reduce in the short-term inmate population in the Sullivan County Jail. This meeting was solely for discussion purposes and no actions were taken.

Those speaking before the Commission were:

Sullivan County Sheriff Jeff Cassidy

District Attorney Barry Staubus

Public Defender Andrew Gibbons

Criminal Court Judge James F. Goodwin, Jr.

Circuit Law Court Judge John McLellan, III

Sessions Court Judge David Tipton

Sessions Court Judge Ray Conkin


David Stanley

Following the Called County Commission meeting, a presentation was given by MBI, Inc. on several different schemes to consider for the jail.



**CRIMINAL COURT**STATE OF TENNESSEE  
SECOND JUDICIAL DISTRICT  
SULLIVAN COUNTY**JAMES F. GOODWIN**  
CRIMINAL COURT JUDGE  
Office: (423) 279-2732  
Fax: (423) 279-3258SULLIVAN COUNTY JUSTICE CENTER  
140 BLOUNTVILLE BYPASS  
P.O. BOX 585  
BLOUNTVILLE, TN 37617**M E M O R A N D U M**

**TO:** Honorable Richard S. Venable, Mayor  
Members of the Sullivan County Commission

**FROM:** James F. Goodwin, Jr., Criminal Court Judge   
William K. Rogers, Circuit Court Judge  
J. Klyne Lauderback, General Sessions Judge  
Mark Toohey, General Sessions Judge  
Ray Conkin, General Sessions Judge

**DATE:** 7 November 2019

**RE:** Resolution For Criminal Justice Officials to Develop Methods  
and Plans to Reduce Short-Term Inmate Population in the  
Sullivan County Jail

Jail overcrowding in Sullivan County is not a new issue. This problem has been on-going to some degree for many, many years. The current jail was expanded in the early 2000's by the addition of the jail annex. In approximately 2014 a committee was formed to study the issue of jail overcrowding and report recommendations to this body. A jail needs assessment was performed by the University of Tennessee in 2016, and the committee made its report and recommendations in 2017.

On 17 October 2019 the Sullivan County Commission passed resolution number 2019-09-77 requesting Sullivan County Criminal Justice System Officials to devise a plan or plans to reduce the Sullivan County jail population in the short-term. On 30 October 2019 at 6:00 p.m., I met with Judge Klyne Lauderback, Judge Ray Conkin, District Attorney Barry Staubus and Public Defender Andrew Gibbons to discuss the resolution. I had previously discussed said resolution with Judge Bill Rogers and Judge Mark Toohey, who were unavailable to attend the meeting.

Sentencing decisions by the courts are governed by rules and procedures promulgated by the Tennessee Supreme Court and by laws passed by the state legislature. Each defendant must be judged upon the facts of their particular case and upon their particular record. We as judges are absolutely forbidden from prejudging any particular class of individuals. If this body is unsatisfied with the sentencing

Hon. Richard S. Venable  
Members of Sullivan County Commission  
7 November 2019  
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strictures of this state, then that is an issue you should address with our state legislators.

Much has been said about the fact that approximately one-half of the current jail population is classified as "pre-trial" detainees. This classification includes untried defendants as well as defendants charged with violation of probation warrants. As to the untried defendants, the main issue causing delay is the length of time it takes the Tennessee Bureau of Investigation (TBI) Forensic Science Division to perform drug testing and identification analysis. It is taking between eight (8) months to one (1) year to get these reports. These cases are not presented to the grand jury until the District Attorney's Office receives TBI results. The solution to this problem is the funding by the Tennessee legislature of additional forensic scientist positions within the TBI.

According to the figures given to me, over one-half of the "pre-trial" detainees are incarcerated due to a probation violation warrant. In criminal court, if the violation is an accusation of a dirty drug screen then the defendant has a reasonable bond set. If the defendant is accused of not reporting or of committing a new crime, then a bond is not set. If the accusation is for failure to pay fines and costs, or not completing community service, then a recognizance or "O.R." bond is set.

Drug and alcohol addiction are a root cause of the jail population explosion we are experiencing at this time. Programs are desperately needed to address the addiction issue within this population. An effective alternative to pre-trial incarceration could be the implementation of a meaningful pre-trial release program. For the program to be both effective and meaningful, the participants should be regularly supervised and randomly drug tested. For those who meet treatment criteria, they should be required to enter into and actively participate in drug and alcohol treatment while on pre-trial release status. The court at sentencing could consider as positive factors that an offender complies with pre-trial release conditions and excels in recovery. These considerations could ultimately result in reduced jail time.

The time for discussion is past, and the time for action is upon us. Sullivan County needs adequate funding for programs and facilities to meet the challenges that the criminal justice system faces now and into the future. There is no easy, zero-cost solution to the problems we face. There is no single solution to the problems we face. This county needs both a meaningful pre-trial release program to be instituted immediately, as well as expanded and redesigned jail facilities. Whether that jail is a redesign and remodel of the current jail or a new jail is yet to be determined, but the time to act is now.

AND THEREUPON COUNTY COMMISSION ADJOURNED AT 6:50 P.M. UPON  
MOTION MADE BY COMM. DAVID AKARD TO MEET AGAIN IN REGULAR  
SESSION ON NOVEMBER 21, 2019.

  
RICHARD VENABLE

COMMISSION CHAIRMAN