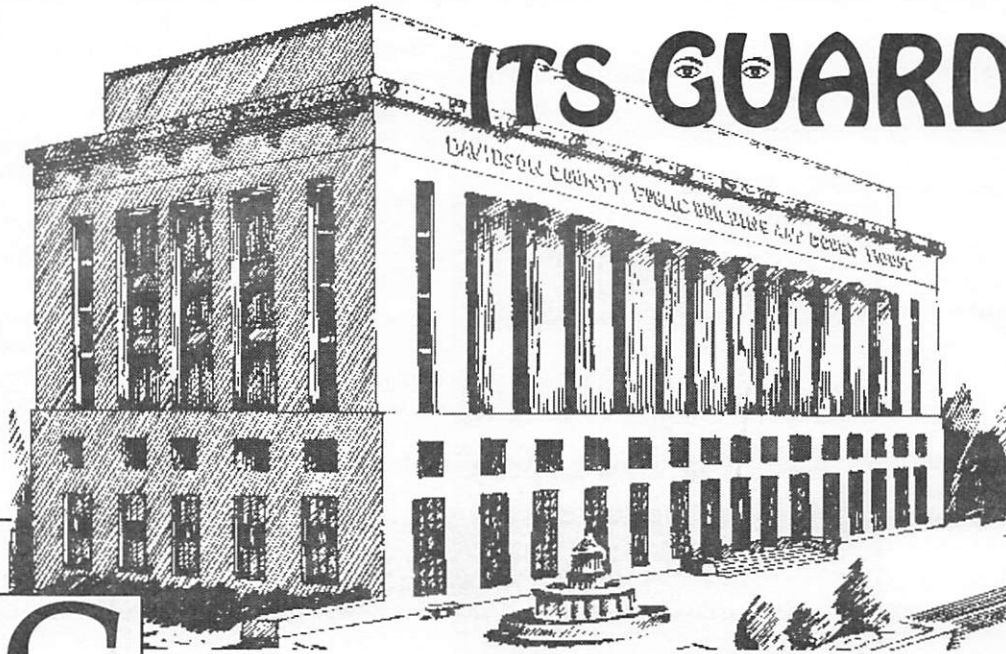


# Rooker Report

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## SECURING OUR HALLOWED HALLS COURTHOUSE PUTS UP ITS GUARD



**S**poradic violence in many of our nation's courtrooms during recent years has sent out a serious signal of impending tragedy wherever impassioned differences of opinions are aired.

Members of the judicial branch, their sanctuaries the most vulnerable venues for such uncivilized acts, have taken the warnings to heart. And so has a concerned Metro government that will soon unveil a sophisticated security system designed to negate hostilities where they are most apt to occur, the courthouse.

The tentative sterilization date is Nov. 1. Note it on your calendar as the day that Lady Justice might peep from beneath her blindfold to observe the foreign goings-on at the portal of her domain. For it will be a day of change, a day when old habits will give way to new routine. Except for the sanctioned elite identified later in this report, it will be a day of introduction to metal detectors, video observance and possible x-ray screening, physical searches and claim checks for seemingly harmless personal items.

(See COURTHOUSE SECURITY, Page 2)

## *Implant Settlement Talks Silence National Outcry*

When scientists at the Dow Corning Chemical Company developed silicone gel implants, there were cries of "eureka" for a discovery that would bring hope to millions of women seeking new outlooks on life.

It was a celebrated event, a toast to an ingenious new product that would strengthen the giant corporation's already outstanding reputation in the field of medical science.

Instead, years later, the giant genius of invention learned it had created a rebellious monster that turned against its master with unrelenting fury.

And at this very moment, in corporate board rooms and law offices across the country, final ingredients are being added to a formula that will bring about the monster's demise. In legalese, the exercise is called a "settlement." Many of the monster's victims might characterize it as something else.

Regardless, the biggest legal backlash in modern history has reached resolution. All that remains to be determined is the manner in which thousands of litigant patients will be appeased in a compromise of billion-dollar proportions.

(See IMPLANT, Page 4 )

### Prohibited

Here is a partial list of items that will be prohibited from the courthouse. Persons having these items in their possession will be required to surrender them until they leave the building. Other items not appearing on this list but considered by security personnel as being potential weapons will be subject to surrender as well.

>Firearms



>Mace



>Scissors



>Knives

>Metal Nail Files



>Letter Openers

>Screwdrivers



>Stun Guns



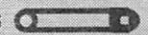
>Kitchen  
Utensils



>Brass  
Knuckles



>Key Rings  
(resembling safety pins)



## Courthouse Security: *Defending the Dignity of Lady Justice*

(From Page 1)

But you shouldn't get excited. Chances are, you have already been exposed to similar scrutiny at airports, or even the local federal courthouse.

Fortunately, the presence of the courthouse security system is not in response to bloodshed in our hallowed halls. It is there to help prevent our city from joining the list of others where violence has erupted. Cases in point:

In Grand Forks, N.D., a 43-year-old man walked into a courtroom concealing a pistol in files he carried and opened fire on a judge during a hearing over his failure to pay child support. The courthouse had no metal detectors and no bailiffs were in the courtroom at the time.

At about the same time, a woman was shot to death by her estranged husband in a Clayton, Mo., courthouse as she awaited a divorce court session. Same story, different town.

Metal detectors were finally installed in a Dallas, Tx., courthouse after a man shot and killed his wife in a hallway, wounded a bystander and then took his own life.

Closer to home, a convicted killer pulled a pistol in a Birmingham, Al., courtroom only to be fatally shot by a rookie bailiff whose warnings for the gunman to drop his weapon were ignored. The slain convict was free on bail and was in court for sentencing. He concealed the gun in his jacket.

Heard enough? So had the judges here who recognized their own potential endangerment and asked the administration to provide preventive measures. They found a sympathetic ear in Mayor Phil Bredesen, who directed General Services Director Sam McPherson to devise a security plan that would minimize the risk to all persons utilizing services in not only the courthouse but also in other selected government buildings.

Various forms of security are already in place at several other facilities, such as the Criminal Justice Center. But the courthouse plan, predicated on a much higher volume of people traffic, will offer a more intense atmosphere.

Security screening will be conducted at both the front and rear entrances to the courthouse. The east and west, or side, entrances will be closed to all persons except those few whose Cardkeys are coded to deactivate electronic locking devices on the doors. Likewise, the end doors cannot be used for leaving the building, except in emergency situations. The door handles are equipped with alarm devices that sound off at the slightest touch.

The east and west corridors will be under constant surveillance by closed circuit television cameras that will allow all activity to be monitored by security personnel. For example, should a door lever alarm be activated, a security officer would rush to the scene and take appropriate action. His presence would also be summoned by someone tailgating a Cardkey user and gaining entry before the door had time to close.

McPherson said the side entrances are not expected to be major problem areas. Chief concern, he said, would be accommodating the high influx of people at the rear entrance during certain morning peak times. Because of the small entry foyer at that entrance, combined

with possible delays in admitting people through the security process, lines could form outside the building, making it uncomfortable during inclement weather. The greatest chance of this happening, McPherson said, will be on days the courts hear motions and when citizens are reporting for jury duty.

Staggering the starting times for these functions to eliminate same-time arrival will be a matter for the courts to consider, McPherson said.

"Ideally, we will be able to route some of this traffic to the front entrance where we have a huge lobby that will accommodate more people," McPherson added.

At either entrance, visitors will be greeted by massive x-ray scanners and archlike metal detectors known as Magnetometers.

The scanners will be used to examine the contents of bags, briefcases, etc., as persons pass through the metal detectors. Security personnel will make physical searches of all persons setting off the detector alarm buzzers.

The two checkpoint stations will be manned by privately contracted personnel of the Wackenhut Security Company. They will be supplemented by court officers from within the local court system. The security system will be in operation from 7:15 a.m. to 5:15 weekdays, the new operating hours for the building.

Equipment has been arriving piecemeal at the courthouse for several weeks. A turnstile constructed of transparent materials was first to be installed near the back doors of the building. Every person leaving through the rear of the building must exit through the turnstile. Persons trying to "enter" through the turnstile will find that it turns in the "exit" direction only.

Jimmy Hawkins, supervisor of operations for General Services, said the courthouse would be thoroughly combed for weapons prior to implementation of the security system. "The building should be sterile when the first people enter through security," Hawkins said.

Despite public knowledge that the security system is being used, Hawkins said people will still attempt to smuggle weapons. He cited cases in other states where metal detectors are used.

"In Louisiana," he pointed out, "eight months after metal detectors were installed in a juvenile detention center, such weapons as handguns, knives, brass knuckles, a blowtorch, throwing stars, a blackjack, scissors and a barbecue fork were discovered inside purses."

Too, security systems are not infallible. In New York, a police officer used his badge to sneak past detectors at a courthouse. He then opened fire and killed his estranged wife in a crowded waiting room. In another case of employee involvement, a New Jersey detective was gunned down in a courthouse hallway as he waited to testify against two men in a drug trial. While there were metal detecting devices in place, court employees and jurors were exempt from passing through them. It was subsequently learned that a deputy court clerk used her security by-pass privileges to bring a gun into the courthouse for the perpetrator, who had earlier been cleared for entry. Other than Cardkey holders and the agencies diagramed on this page, all persons here, including employees, will be screened.

### Who Can Bear Arms

Here is a list of personnel, by department, who will be permitted to bear arms inside the courthouse:

- >Metro Police
- >Tennessee Highway Patrol
- >District Attorneys General
- >Tennessee Bureau Identification
- >U.S. Justice Department (FBI)
- >IRS, Intelligence Division
- >U.S. Secret Service
- >U.S. Treasury Department  
(Alcohol, Tobacco & Firearms)
- >U.S. Marshal's Office

Also, weapons certified by the District Attorney General as being evidence in court trials.



## Unsung veterans receive help from Brown's bench

General Sessions Court Judge John Brown was among community leaders who participated recently in "Operation Stand Down", a goodwill gesture of appreciation for war veterans down on their luck.



**BROWN**

Judge Brown held a special traffic court session for veterans too poor to pay outstanding tickets. He dismissed charges against nine different vets who had accumulated 18 violations between them. From a revenue standpoint, that amounted to \$1,970 in fines—a small, yet meaningful, salute to those who fought for our country.

Accordingly, we tip our hats to Judge Brown and other participating civic leaders for bringing a moment of glory to at least some of the heroes that society has heretofore failed to acknowledge.

## Chief Clerk Aide Carole Garrett Earns Certification

Congratulations to chief administrative clerk Carole Garrett upon becoming the first Davidson Countian to complete the University of Tennessee's advanced training program for county government personnel.



**GARRETT**

Mrs. Garrett was among 28 officials recently honored as a Certified Public Administrator in ceremonies at Henry Horton State Park.

En route to certification, Mrs. Garrett received 115 hours of training geared to improving managerial and governmental skills that are required elements of her daily job functions.

Before being named chief administrative clerk, Mrs. Garrett served as chief clerk of the General Sessions Civil Division.

## Amanda Hughes Gets State Post

Amanda Hughes, a deputy clerk in our Circuit Court office since 1987, has been named by the Tennessee Supreme Court to help coordinate a statewide child support enforcement program.

Ms. Hughes assumes her new position of court clerk liaison on Oct. 18. Her job will take her across the state collecting information from court clerks and Department of Human Service agencies. The state legislature has ordered a uniform child support system to be in place by Jan. 1995.



## Legislature Salutes Late Clerk

*Betty Rooker admires a joint resolution from the Tennessee General Assembly honoring her late husband, Circuit Court Clerk George L. Rooker. The framed commendation was presented to Mrs. Rooker and her son, current Circuit Court Clerk Richard R. Rooker, during a Democratic unity gathering in September. It now hangs in Richard Rooker's office, which was occupied by his late father for nearly a quarter-century. The resolution, adopted by both the House and Senate, was read aloud at the rally by State Sen. Joe Haynes.*



## Cheers.....

The wait is finally over for deputy clerk **Richard Hedgepath** and wife **Julia**. They became parents to a son, **Garrett Ray**, at 8:04 p.m. on Sept. 27, about five days later than predicted. Master Hedgepath tipped the scales at slightly over eight pounds...Folks in the General Sessions Civil Division office that same day were oohing over the photographic display of **Ryan Todd Johnson**, new son of cashier **Janice Johnson**, who was welcomed back from maternity leave...Domestic Relations Clerk **Barbara Eddings** continues to smile a lot since celebrating her 29th wedding anniversary on Sept. 12. Hubby is Metro police officer **David Eddings**...Recently gaining hubby status was Traffic Warrant Officer **Bobby Sory**, who took **Janet Jackson** as his bride on Sept. 24...And in the "Oops, We Goofed" department, our apologies to audit clerk **Sandy Adams**, whose birthday on Oct. 9th failed to be included in our birthday list in last month's Report.

## .....Tears

Our deepest sympathy is extended to **Councilmember Kwame Lillard** whose father, **Leo Lillard**, was the victim of a senseless slaying. Mr. Lillard was a long-time community activist and frequent visitor to the Courthouse.

## November Birthdays

### Traffic Violations Bureau

- 12 Beverly Estes
- Dixie Gibson
- 13 Patsy Jackson
- 19 Chuck Link
- 23 Richard Vester
- 24 Dinah Williams
- 26 Rhonda Bright
- Nick Lane

### Circuit Court Clerk

- 11 Bill Riggs

### Probate Clerk

- 1 Ruth Lester

### General Sessions

- 13 Renee Ruben

### —Recap?—

*Time to retire: When the tread becomes too worn to avoid road hazards*

## Metro Wants State to Copy its Traffic Ticket Design

The state thinks that traffic tickets should all look alike, regardless of the agency issuing them or where they are issued.

It not only is a thought, it is the law. Or it will be on Jan. 1, 1995.

The question is: Will the ticket reflect a totally fresh look, a combination of several existing ones, or a duplication of one already in use?

Metro casts its vote for the latter, and has so advised a committee appointed to recommend a final design to the Department of Safety.

In a recent letter to the department, Traffic Violations Bureau Chief Chuck Link pointed out the advantages of Metro's multiple-offense ticket design, adopted in February, 1990. "It saves the police officer time when issuing citations if the offender has violated more

than one law...it saves the clerk's office time due to less entry data...it saves money because a smaller number of citations are issued...it saves space by using less paper...it saves court time because all information is included on one piece of paper."

General Sessions Court judges who preside over Davidson County's traffic dockets daily agree with Link and say they will use their influence to help sell the Metro ticket to the state.

The multiple-offense ticket used here allows officers to include up to five violations without writing an individual ticket for each charge. Link said this benefits everybody involved--the officers, the clerk's office and the courts. It also gets the motorist on his way sooner.

Reasons enough for the state to say, "that's the ticket."

## Implant Patients Await Billions in Settlement

(From Page 1)

Dow and its affiliated companies, identified in court pleadings as "alter ego" associates, have announced a pending settlement that will net plaintiffs more than \$2 million each. At last count, 5,444 individual cases had been filed, but the figure has continued to grow as more and more implant recipients claim alleged health impairment from leaking prostheses.

Restitution estimates have ranged from \$2 billion upward to twice that amount. It could be months before a federal court announces acceptance of a final settlement and the terms of payment. Meantime, an elaborate management program established here to coordinate regional pretrial activity for area cases remains intact but idle.

Only one case has gone to trial since the controversy was born. It resulted in a verdict against the plaintiff, a Colorado woman. Whether the outcome of that case had a bearing on the universal settlement is not known.

What is known is that the federal government has since banned the use of gel implants for all surgical procedures in this country. The forthcoming settlement should silence the final whimper of a fatally wounded monster.

## Circuit Court Jury Trial Verdicts

### WEEK OF SEPTEMBER 13

<u>Case Number</u>	<u>Type of Case</u>	<u>Verdict</u>
91C-3440	Auto Accident	(P) \$7,100
91C-3322	Auto Accident	(P) \$7,750
92C-3031/93C-567	Auto Accident	(P) \$31,000
91C-2307	Slip/Fall	Defendant

### WEEK OF SEPTEMBER 20

<u>Case Number</u>	<u>Type of Case</u>	<u>Verdict</u>
90C-3693	Auto Accident	(P) \$160,000
92C-2721	Personal Injury	(P) \$41,000
92C-2044	Auto Accident	(P) \$3,210
92C-854	Auto Accident	Defendant
91C-2937	Slip/Fall	Defendant

## STORY UPDATES

### Probate notice response good

Our probate office closed the files on 153 cases in September as attorneys and clients continued to respond well to notices regarding new procedural requirements.

Most of the closings involved dormant estate cases where no activity had been recorded for several years. Notices went out earlier this year to parties involved in stale cases dating back to 1985. Most of those files have now been brought up to date and notices are being prepared for dormant cases dating back to 1983.

### Buffaloe first Dial-A-Case user

Attorney John Buffaloe had the honor of being the first client to use Dial-A-Case, our new electronic modem service for accessing case information from the General Sessions Civil Division.

Buffaloe's transmission, like others that followed, was successful.

Like any new system, the modem service can be expected to encounter a few early bugs. If so, we will make quick corrective response. So far, nothing of consequence.

We hope to expand the service to Circuit Court cases in the near future.

### Traffic service fees dip slightly

Traffic nullification fees in September dipped below the highwater mark set the previous month, but represented an appropriate percentage of the overall fine collections by the Traffic Violations Bureau.

Revenue from the council-imposed service fee was \$16,893 for the month, based on nullification of 1,877 tickets for corrected minor offenses. That brings to \$51,786 the total amount of revenue collected since the ordinance went into effect July 1.

Fewer traffic tickets were written in September because many officers were placed on other assignments.

## Rooker Report

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