



# TACP NEWS

Volume 07, Issue 2

April 2007

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## PRESIDENT'S CORNER

by Chief John Lowry  
Johnson City PD

Well spring finally arrived and now summer is just around the corner. I am looking forward to the 37<sup>th</sup> Annual Conference to be held in Memphis this year August 1<sup>st</sup> through the 4<sup>th</sup>. This conference will mark 37 years of the TACP's existence and will also mark the first time a female president will lead the organization. This is a very exciting time for us. I want to take this opportunity to update you on some of the happenings in our organization.

- The legislative session has been a challenging one so far, but we are hoping it will be a rewarding one as well. The RETIREMENT bill is progressing and is behind the budget. We will keep you advised.
- Tullahoma Police Chief JC Ferrell retired and has petitioned the TACP for LIFE membership at the June Meeting. Feel free to drop him a line at home: 354 Greenwood Road  
Tullahoma, TN 37388
- Nashville International Airport Police Chief Duane McGray has retired and will start new role as the Executive Director for Airport Law Enforcement Agency Network (ALEAN). He can be contacted at:  
133 Chute Circle  
Old Hickory, TN 37138

He asked that we pass on this message to the membership: "I appreciate the friendships developed and my time at the TACP. The relationships that I have cultivated will remain with me for a lifetime."

- Hendersonville Police Chief David Key has been recovering from back surgery for several months. We hope to see him at the June meeting.
- Memphis Police Director became a grandfather in April to Peyton Godwin. Congratulations!!

## 2007 MEETING DATES AND HOTEL INFORMATION

**\*\* OUR MEETING LOCATION HAS CHANGED \*\***

Millennium Maxwell House  
2025 Metro Center Blvd  
Nashville, TN 37228  
Phone: 615-259-3434  
Reservations: 866-866-8086  
[www.millenniumhotels.com](http://www.millenniumhotels.com)

May 30-June 1

August 1-4 \*\*

October 3-5

December 5-7

*\*\*Mark your calendars*

**\*\*2007 Annual Conference will be held August 1<sup>st</sup> - 4<sup>th</sup> at the  
Memphis Downtown Marriott**

# Anticipatory Search Warrant: United States v. Grubbs

by Jack Ryan, Legal & Liability Risk Management Institute  
United States v. Grubb, 547 U.S. \_\_\_, slip op. 04-1414 (3/21/06).

## ***Anticipatory Search Warrant Valid Though Triggering Event Not Included in Warrant***

The United States Supreme Court held that an anticipatory search warrant, that described the triggering event for execution in the affidavit, but not the warrant or the attached schedules that were given to the suspect at the residence, still met the particularity requirement of the 4th Amendment.

United States v. Grubbs involved a controlled delivery of a videotape containing child pornography to Grubbs. Grubbs had ordered the videotape off an internet site run by a postal inspector for purposes of investigating child pornography. Based on Grubb's order, a search warrant and affidavit was prepared. The affidavit described the triggering event for executing this anticipatory warrant. The triggering event was described as the delivery of the video to a person at the residence and the taking of the video into the residence. The warrant itself did not list the triggering event, nor did two schedules that were attached to the warrant.

The videotape was delivered to the residence. The tape was accepted by Jeffrey Grubbs' wife and taken into the house. Jeffrey Grubbs was detained when he left the house a short time later and the search warrant was executed. Mr. Grubbs was given a copy of the warrant as well as copies of the attached schedules. He was not given a copy of the affidavit. Following his indictment, Jeffrey Grubbs sought suppression of the evidence found in his home arguing that the warrant and schedules, which did not contain the triggering information for this anticipatory warrant did not meet the 4th Amendment's particularity requirement. The United States Court of Appeal for the 9th Circuit agreed with Grubbs, which led to the appeal before the United States Supreme Court.

The United States Supreme Court overturned the decision of the 9th Circuit in ruling that the search warrant at issue met the particularity requirement of the 4th Amendment. At the outset, the Court held that anticipatory search warrants are Constitutional under the 4th Amendment.

In the opinion, the Court pointed out that the 4th Amendment does not have some general particularity requirement for warrants. The particularity requirement is very specific. Law enforcement must particularly describe the place they are seeking to search and they must particularly describe the items they are seeking to seize. The Court concluded that there is no requirement in the constitution that the "condition precedent" or the "triggering event" of an anticipatory warrant, be particularly described in the warrant itself.

*This article is provided by the TML Risk Management Pool through a cooperative agreement with the Legal & Liability Risk Management Institute.*

## VOTE FOR THE TACP 2008 HOTEL

HOTEL	ROOM	PARKING	MEETING SPACE	HOSPITALITY SUITE
Sheraton	** \$135/ \$129/ \$119/ \$155/ \$99	\$18 per day	\$1,150	not available
Millennium Maxwell House	\$99s/ \$99d	Free	complimentary	\$125 per day
Doubletree	\$99s/ \$109d	\$20 per day	\$1,650	negotiable
Renaissance	All dates or state rates not available			
Hilton	All dates and state rate not available			

\*\* each price listed is for each meeting: FEB/APR/JUNE/OCT/DEC

Your VOTE is important and will determine where the TACP meets next year. Please call-615.726.8227, email- [admin@tacz.org](mailto:admin@tacz.org) , fax-615.244.0075 or mail your SELECTION/CHOICE for the 2008 Hotel for the TACP meetings.

National Peace Officers Memorial Day is May 15<sup>th</sup> and National Police Week is May 14<sup>th</sup> - 18<sup>th</sup>. The Tennessee Department of Safety and Highway Patrol will hold a Memorial Service on Friday, May 18<sup>th</sup> at 9:00 AM (CST), at their Foster Avenue Headquarters in Nashville. All TACP members are invited to attend.

For further information, please contact Col. Mike Walker by email [Mike.Walker@state.tn.us](mailto:Mike.Walker@state.tn.us) or (615) 251-5175.

# TACP June Meeting

June's scheduled Training/Business Meeting of the TACP will be on May 30<sup>th</sup>, May 31<sup>st</sup>, and June 1<sup>st</sup> at the Millennium Maxwell House Hotel (Please call the Office if you need directions).

## May 30<sup>th</sup>, Wednesday

4:00-6:00pm Police Chiefs Forum & Roundtable Forum-Hotel  
"Office of the Inspector General" [1 hour]  
By, Inspector General Deb Faulkner and  
Deputy Inspector General David Griswald

## May 31<sup>st</sup>, Thursday

9:00 - 11:00am Board of Directors Meeting Forum-Hotel

### TRAINING

Ballroom West-Hotel

1:00 - 2:00pm "Department of Safety Update"  
by Colonel Mike Walker, THP

2:00 - 4:00pm "Badge of Honor Memorial Foundation and the  
Tennessee Consolidate Retirement System:  
Death Benefits"  
By David Blancherd, BHMF and  
Ed Hennessee, TCRS

5:00pm-?? Hospitality Suite Polk Suite  
Sponsored by Kay, Federal Signal, Stalker Radar & GT Distributors

## June 1<sup>st</sup>, Friday

8:00- 9:00am TACP Business Meeting Ballroom West-Hotel

9:00 - 11:00am TRAINING Ballroom West-Hotel  
"Collision Avoidance Training"  
By Paul Burris, Partners for Highway Safety

The TACP meeting rate is \$99 per night occupancy and parking at the hotel is free.

Reservations may be made by calling the Millennium Maxwell House at  
1-866-866-8086 or 615-259-4343.

**The deadline for making TACP Block reservation is  
Wednesday, May 9th!**

**\*\*PLEASE NOTE TIME CHANGE FOR THE BOARD  
MEETING.\*\***

## MILLENNIUM MAXWELL HOUSE HOTEL BOOKING

**BY PHONE:** Please call **1.866.866.8086** or **615.259.4343**  
to book your room for the meeting. When calling, please ask for  
the TACP (Tennessee Association of Chiefs of Police) Block.

**ON LINE:** Use the following link :

<http://reservations.synxis.com/LBE/rez.aspx?Hotel=11542&Chain=5303&lang=1&group=CHPO3>

**WEBSITE:** [www.millenniumhotels.com/nashville](http://www.millenniumhotels.com/nashville)  
(guests can enter the group code CHPO3 where prompted)

## ★ A Special Thank You ★

**To all of our members who helped make  
our April meeting and Mid Year Vendor  
Expo A successful event!**

**We look forward to seeing you at the  
next meeting: May 30<sup>th</sup>, May 31<sup>st</sup>, and  
June 1<sup>st</sup>!!!!**

### MESSAGE FROM THE EXECUTIVE DIRECTOR

*Many of you have asked about the baby; so.....  
NEIL UPDATE: 6 months old*



*Take care and I look forward to seeing you  
at the June (May) meeting,  
Maggi*

### APRIL NEW MEMBERS

Captain Michael Griffus	Associate
Captain Alan Keller	Associate
Captain Jodi Whitfield	Associate
Germantown PD, District 12	[Richard Hall]
Chief Kenneth Wright	Active
New Johnsonville PD, District 9	[TACP]
Christopher Johnson	Corporate
All Traffic Solutions	[TACP]
Tracie Calvert	Corporate
Elbeco	[TACP]
Deb Maupin	Corporate
Emergency Links Matter	[TACP]

**THANK YOU FOR RECRUITING NEW MEMBERS!**

**BE SURE TO CHECK OUT THE WEBSITE FOR THE NON  
MEMBER AGENCIES AND RECRUIT NEW MEMBERS---  
PRIZES WILL BE REWARD** (form included)

## FEBRUARY NEW MEMBERS

Assistant Chief Gary Rikard Bartlett PD		Active [Mark Hopper]
Director Bart Stinnett Blount County HS & EMA, District 2		Associate [John Lowry]
Captain Mark Moody Dyersburg PD, District 11		Associate [Terry Ledbetter]
Commander Marcus Crabtree Commander Richard Howell Fayetteville PD, District 8		Associate Associate [Doug Carver]
Chief David Paschall Gibson PD, District 11		Active [TACP]
SAC Richard Lambert FBI –Knoxville Division, District 2		Associate [John Lowry]
Assistant Chief Harold Baines Gordonsville PD, District 5		Active [Wayne Harris]
LEL Clint Shrum GHSO, District 6		Associate [John Lowry]
Captain Rita Baker Captain Anthony Carter Commander Louise Kelton RET Captain Anita Lowrance Commander Robert Nash Captain Marlene Pardue Captain Jason Reinbold Commander Michelle Richter Captain Karl Roller Captain Christopher Taylor Metro Nashville PD, District 7	(Rejoin)	Associate [Steve Anderson] Associate [Ronald Serpas & Joseph Bishop] Associate [Joseph Bishop] Sustaining [TACP] Associate [Joseph Bishop] Associate [Steve Anderson] Associate [Joseph Bishop] Associate [Joseph Bishop] Associate [Steve Anderson] Associate [Steve Anderson]
Assistant Chief Roy Fields Murfreesboro PD, District 7		Active [Glenn Chrisman]
Chief Bob Johnson Sharon PD, District 11	(Rejoin)	Active [TACP]
Marshal Denny King US Marshal Service, Middle TN		Associate [TACP]
Chief Thomas Stufano Smithville PD, District 5		Active [TACP]
Tommy Alderman Application Data Systems, Inc.		Corporate [TACP]
Keith McCullough Alexander Auto Mall Murfreesboro, District 7		Corporate [TACP]
Jamie Pieratt Law Enforcement Publications		Corporate [TACP]

Membership information and applications are available on the website at [www.tacp.org](http://www.tacp.org)  
under the heading MEMBERSHIP INFO.

Non-Member Agencies are listed on the website as well. Please do your part to recruit the new chiefs and non-member agencies near you. You are the best representative of the TACP!!

**THANK YOU FOR YOUR PARTICIPATION IN THE RECRUITMENT CAMPAIGN.**