

Former Williamson Co. sheriff asks for 'clean slate'

Case presented to Criminal Court of Appeals today

By Mitchell Kline • THE TENNESSEAN • April 21, 2009

NASHVILLE — Three judges from the state's Criminal Court of Appeals heard arguments today about whether former Williamson County sheriff Ricky Joe Headley should have a clean record after completing probation for prescription drug convictions.

Attorney David Raybin said Headley, who is now a car salesman, could be decommissioned and unable to serve as a police officer if the five misdemeanor drug convictions remain on his criminal record. Headley has stated that he would like to run for sheriff again. As part of a plea agreement with prosecutors Headley resigned from the sheriff's office on Feb. 13, 2008. A condition of his five-year probation is that he cannot seek a public office. Raybin said Headley could run for sheriff after completing probation.

Attorney Russ Heldman told the Court of Appeals judges that Headley should have been granted judicial diversion, which would allow his record to be expunged after serving probation. Heldman, a former Williamson County judge, said the judge who denied Headley diversion, Jon Kerry Blackwood, put too much weight on the fact that Headley was an elected official. "The judge seemed to let that fall like a hammer on all the other factors," Heldman said.

Blackwood, a special judge called to oversee the case, told Headley in March 2008 that being an elected official made him different from ordinary citizens. "They never asked for that trust and never made a promise to uphold the law," Blackwood said. "Those that do ask then abuse it shouldn't get the slate wiped clean."

Heldman asked the appellate judges to consider if the same rules should apply to every elected official. He said that would mean any politician, judge, sheriff or mayor who commits a crime wouldn't be eligible for diversion. Cameron Hyder, assistant state attorney general, said Headley got what he deserved. Hyder said Headley used his position as sheriff to commit unlawful acts. Headley had his secretary drive a county-owned vehicle to a Nashville pharmacy to pick up fraudulent prescriptions. He drove to the pharmacy himself, in uniform. Hyder said Headley had members of the Sheriff's Office investigate a Davidson County case as a favor to Glenn Brooks, the pharmacist who provided him with painkillers illegally.

Raybin said it would take about six months before the Criminal Court of Appeals announces an opinion.