

## **Pattern of inmate mix-ups claimed** ***Mistakenly transferred prisoner sues Metro***

04/13/07

By SHEILA BURKE  
*Staff Writer*

A Nashville man cited for a gambling misdemeanor here was taken to Memphis, in shackles and handcuffs, to face a felony charge in that city.

The problem is, police had the wrong man.

The case of Ronald Eugene Brooks Sr., 59, is the subject of a civil-rights lawsuit filed this week in Davidson County Circuit Court.

Because it's the second case to come to light where an African-American was sent to another city, wrongly charged, and left with no way home, the lawsuit suggests a broader problem. The lawsuit says Metro is treating arrests on out-of-city warrants with "reckless indifference."

"Two people in a year is two too many, in my opinion, and there may be others that we don't know about," said attorney David Raybin, who is representing Brooks.

### **Metro sees no problem**

Metro officials, without commenting specifically on the lawsuit, say that there isn't a problem.

"I'm not speaking to the validity of this one special case, but we book over 70,000 individuals a year, and there is not a pattern or problem with this particular situation," said Karla Crocker, a spokeswoman for the Davidson County Sheriff's Office.

Brooks' \$1 million lawsuit against Metro and a Davidson County sheriff's supervisor alleges that his civil rights were violated when he was falsely arrested and falsely imprisoned in April 2006.

Brooks' suit contends that a fingerprint analysis and mug shot check would have shown law officers that they were making a mistake.

Besides monetary damages, Raybin wants a court to prohibit Davidson County from sending a criminal suspect out of Nashville without comparing fingerprints and mug shots.

Brooks landed in the system when police cited him for possession of a gambling device after finding him with a numbers ticket.

When he was booked, Nashville authorities checked to see if he had any outstanding warrants. The warrant check showed that a Ronald Brooks was wanted in both Shelby and Williamson counties. Metro alerted both counties.

Franklin Police conducted a records check and determined that Brooks wasn't the right man because the person wanted in Williamson County was much younger, the lawsuit says. It blames the sheriff's supervisor for telling Memphis authorities that Nashville had the man they wanted, when Franklin Police had noticed a potential problem.

Brooks, a diabetic, was taken to Memphis on the belief that he was wanted on forgery charges there, Raybin said. He felt ill during the episode but received no medical attention, the suit alleges.

### **Metro says cases rare**

Once Memphis authorities realized that Brooks was not their man, they released him.

"Without money, without food, without medicine, without any means of contacting anyone, Mr. Brooks was released from jail in Shelby County to wander the streets to try and find some way of contacting his family," the suit alleges.

Eventually, his wife was contacted, money was sent to him and he returned home by bus.

Metro Police were blamed for a similar mix-up when Tommie Rice was arrested in December 2006, spent nearly three weeks in jail and was taken to Maryland. When officers in Maryland realized that Rice was not their man, he was released in January.

After that incident, Nashville Police said they would review their policies, but they pointed out that Rice's case was extraordinarily rare.

"No, I really don't think it's a problem at all," Metro Police spokesman Don Aaron said of any concern that this was becoming a common occurrence.

Both Aaron and Raybin said Metro Police were not involved in the Brooks case.