

16 Q. What was it that Mr. Davidian was  
17 stating in the Putnam Pit web site with respect to you  
18 and any relation to dead babies?

19 MR. HARRIS: I'm going to issue an objection  
20 here on the best evidence rule, that the article speaks  
21 for itself.

22 WITNESS: To me Mr. Davidian was implying  
23 in that article or stating in that article that I was  
24 responsible for dead babies in this area by virtue of my  
25 job.

1 MR. DUFFY: Mr. Harris, would you agree that  
2 Mr. Davidian had on his web site... I can't lay my hand  
3 on it right now, but the question "How many dead babies  
4 are in Bill Gibson's back yard?"?

5 MR. HARRIS: We'll stipulate that that's a  
6 rough paraphrasing I think of what that article is. In  
7 fact, I believe... I thought we had that exhibit out  
8 earlier.

9 BY MR. DUFFY:

10 Q. Do you have any idea what Mr. Davidian  
11 is referring to in that accusation in the Putnam Pit?

12 MR. HARRIS: I am going to object on the best  
13 evidence rule and also foundation as to whether.., to  
14 establish whether or not Mr. Davidian wrote that article.

15 MR. DUFFY: You will stipulate it was on its  
16 web site, won't you?

17 MR. HARRIS: Yes.

18 MR. DUFFY: Okay.

19 BY MR. DUFFY:

20 Q. "How many dead babies in D. A. Gibson's  
21 back yard, by C.D. Sunny Boy Norman". Do you have any  
22 idea what this accusation is about babies, dead babies in  
23 your back yard on the Putnam Pit web site?

24 A. As best I recall that article, it had  
25 something to do with Methamphetamine.

1 MR. HARRIS: And before I had to sit back  
2 down to get that, but objection to best evidence as to  
3 the article speaks for itself.

4 WITNESS: The article, I mean, it  
5 certainly says and implies that there's dead babies in my  
6 back yard. And if you want to look deeper into it, that  
7 I'm responsible for the death of babies in this area in  
8 some way. And it was a very troubling article, a very  
9 troublesome thing for me to read that.

10 Q. Is there any truth to that accusation  
11 or innuendos therefrom?

12 A. No.

13 Q. All right. Now, going back to Circuit  
14 Court Coomer, these jailer fees, were those fees that a  
15 prisoner who was convicted of an offense and served jail  
16 time, as a consequence thereof was to reimburse the  
17 county for the expenses of, you know, holding him in  
18 jail?

19 A. They were.

20 Q. And was a state statute passed that  
21 enabled the circuit court clerks of the various counties  
22 to seek reimbursement from the prisoners for those fees?

23 A. There was. The idea being to let the  
24 inmates pay part of their own housing and not let the tax  
25 payers bear the total cost.

1 Q. All right. Let me show you this  
2 article that's also from the November 14, 1997 Pit and  
3 ask you to read the headline on that. Do you have a copy  
4 of the article, the full article? He'll read it.

5 MR. HARRIS: Okay. I'm not sure which  
6 article. You didn't show that to me. I'm not sure which  
7 article you're referring to.

8 MR. DUFFY: I will say this is from the  
9 C. D., I believe. And it was one of those things where  
10 if you clicked on it, it tried to take you to the  
11 internet. So I don't have the full copy. Yeah, this one  
12 here.

13 MR. HARRIS: I'm sorry. Which article? You  
14 said... Oh, C. D. You mean the C. D. Rom and not C. D.  
15 Norman?

16 MR. DUFFY: Right.

17 MR. HARRIS: The article by Susan Richards  
18 and Geoff Davidian? Is that what you're referring to?

19 MR. DUFFY: Right.

20 BY MR. DUFFY:

21 Q. And unfortunately, I'm going to need to  
22 ask you just to read that paragraph. Or I can read it or  
23 something.

24 A. "T.B.I., D. A. Gibson won't investigate  
25 illegal jailer's fee collection by Court Clerk Lewis

1 Coomer. By Susan Richards and Geoff Davidian of the  
2 Putnam Pit Staff. While going hog wild to destroy  
3 politically unpopular, seldom at work, faux-pas prone  
4 County Assessor of Taxes Byron Looper, who is not accused  
5 of any criminal activity, the Tennessee Bureau of  
6 Investigation and the district attorney general will not  
7 investigate illegal charging of jailer's fees by Circuit  
8 Court Clerk Lewis Coomer. District Attorney General Bill  
9 Gibson, clearly not the brightest man in the country,  
10 refuses to receive the evidence, local judges refuse to  
11 get involved and the state comptroller's division of  
12 county audit has not addressed the possibility that the  
13 money was diverted. Tennessee Bureau of Investigation's  
14 number two man, Rob Reeves, became huffy, shouted 'gutter  
15 journalism' and slammed down the phone when confronted  
16 with the fact that the system does not address officials  
17 taking money".

18 Q. Now, what do you say to the jury with  
19 respect to Mr. Davidian's reporting that the district  
20 attorney general... Well, first off let me ask you was  
21 there any "illegal jailer's fee" collection by Circuit  
22 Court Clerk Lewis Coomer as you understood it?

23 A. No, my understanding was that  
24 Mr. Coomer was collecting the fees under this new statute  
25 and putting them through the proper channels in his

1 office. And Mr. Davidian's allegation was that he  
2 started collecting, he jumped the gun or he started  
3 collecting these fees before the effective date of the  
4 statute or before the date when he should have started  
5 collecting these fees.

6 And I've always said that, you know, if people paid  
7 these fees before the law came into effect, they may have  
8 a right to seek a refund. There's no implication that  
9 Mr. Coomer stole any of the money or took any of the  
10 money home.

11 It's just that he through inadvertence or whatever  
12 started actually performing this duty before the  
13 effective date that the law would have allowed him to.  
14 We've never heard from any inmate who felt like he had  
15 been taxed or paid the fees and should have a refund.

16 And in the context of Mr. Davidian, we felt like he  
17 was just particularly on a vendetta pursuit of the  
18 circuit court clerk.

19 Q. And were you ever.., do you remember  
20 seeing the Putnam Pit article purporting to have an  
21 exclusive interview from you with respect to the issue of  
22 prosecution of Circuit Court Clerk Lewis Coomer?

23 A. I did see that article.

24 Q. Was there any... Stepping back to this  
25 article, is there any truth to the statement that "the

1 district attorney general will not investigate illegal  
2 charging of jailer fees by Circuit Court Clerk Lewis  
3 Coomer"?

4 A. There is truth to the statement that we  
5 refused to investigate that situation.

6 Q. Was there any illegal charge in the  
7 jailer's fees to investigate?

8 A. There was not. According to his own  
9 allegations, it would not have been a criminal matter had  
10 Mr. Coomer started collecting these fees prior to the  
11 effective date. As I said before, you know, if people  
12 inappropriately paid those fees before the law took  
13 effect, then they could have asked for a refund. But  
14 there was not any suggestion of what would have amounted  
15 to criminal behavior on Mr. Coomer's part had the  
16 allegation been true.

17 Q. Is the circuit court clerk's office  
18 audited by the State of Tennessee comptroller's office?

19 A. The circuit court clerk's, as all  
20 county offices, are very closely audited. Their books  
21 and their money transactions are closely audited.

22 Q. Were you ever presented with any  
23 evidence or requests for a prosecution of Circuit Court  
24 Clerk--it's hard to say fast--Coomer's office with  
25 respect to these jailer's fees from the auditors?

1       A.                   No. There was never any suggestion  
2       that the auditors found anything wrong there.

#### **OFFICE OF CIRCUIT COURT CLERK:**

- ◆ The office's accounting software had a data manipulation utility that allowed users to make changes to previously processed accounting information, but provided no audit trail of these changes.
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#### **OFFICE OF CLERK AND MASTER:**

- ◆ The office did not report and pay to the state unclaimed funds held for over one year, as required by state statute.
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#### **OFFICE OF SHERIFF:**

- ◆ The office did not charge sales tax on commissary food and supplies sold to inmates.
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#### **OTHER FINDINGS:**

- ◆ Duties were not segregated adequately among officials and employees in the Offices of Highway Superintendent, Trustee, County Clerk, Circuit and General Sessions Courts Clerk, Register, and Sheriff.
- ◆ The county did not maintain adequate property records and had not established a self-balancing group of accounts for General Fixed Assets.
- ◆ County officials had not adopted a central system of accounting, budgeting, and purchasing covering all county departments.
- ◆ Because the county funded rural fire protection services through the General Fund, the property taxes of all county citizens, living both inside and outside Cookeville city limits, helped to fund this service. Consequently, citizens living within the City of Cookeville paid for a service already provided by the city.

*State of Tennessee  
Comptroller of the Treasury  
Department of Audit  
Division of County Audit*

# How many dead babies in D.A. Gibson's back yard?

by c.d. norman

The *Orange County Register* reports that a Long Beach, Calif., woman has been charged with killing her six-week-old baby. The murder weapon? Methamphetamine in the mother's breast milk.



The baby was found dead in its crib. Neighbors were told it was a case of Sudden Infant Death Syndrome (SIDS).

In a similar case, a Bakersfield, Calif., woman was convicted of child endangerment after her two-month-old son was fatally poisoned by crank-laced breast milk.

[California researchers report that the infants of substance abusing mothers have an eight to 10 times](#)

[greater chance of dying from SIDS.](#)

And common sense will tell you that methamphetamine and "good parenting skills" are rarely found in the same house.

The 13th Judicial District (William E. Gibson, District Attorney General) leads the state in the production of methamphetamine. As the methamphetamine epidemic spreads, residents should expect to see increased numbers of dead babies turning up in the county morgues.

Does that scare you? It should.

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[other c.d. norman columns](#)







