

IN THE CHANCERY COURT FOR ROBERTSON COUNTY, TENNESSEE

STATE OF TENNESSEE, Upon The )  
 Relation of John W. Carney, Jr., District )  
 Attorney General for the Nineteenth )  
 Judicial District of Tennessee, )  
 Plaintiff )  
 )  
 Vs. )  
 )  
 DANNY J. CROSBY, )  
 Defendant )

FILED  
CLERK & MASTER ROBERTSON CO, TN

JUN 27 2006

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M  
BY KENNETH ANDREWS

19286

Docket No.: \_\_\_\_\_

**COMPLAINT FOR ORDER OF SUSPENSION FROM OFFICE**  
**AND**  
**FOR WRIT OF OUSTER**

Comes the State of Tennessee, by and through John W. Carney, Jr., District Attorney General for the Nineteenth Judicial District, pursuant to Tenn. Code Ann. 8-47-101, et seq., and sues the Defendant, Danny J. Crosby, and for cause of action says:

1. Defendant, Danny J. Crosby, is the duly elected mayor of the City of Coopertown, Tennessee, a municipal corporation chartered under the laws of the State of Tennessee, he having been elected in the November 2, 2004, election, certified as the successful candidate for Mayor by the Robertson County Election Commission on November 15, 2004, and having taken office thereafter at a called meeting of the Board of Mayor and Aldermen. Defendant Crosby's term of office is four (4) years.

2. On April 12, 2006, a Petition from five hundred thirty six citizens of the town of Coopertown was served upon the District Attorney's Office in Robertson County, Tennessee, alleging that Defendant, Danny J. Crosby, is guilty of acts, omissions or offenses set out in Tenn. Code Ann. 8-47-101. Because of complaints which had been received by the District Attorney prior to receipt of the aforesaid Petition, investigation of many of the allegations against Defendant Crosby was already under way upon the statutory initiative of the District Attorney. A copy of the citizen's Petition is attached hereto as Collective Exhibit A.

**DEFENDANT CROSBY HAS MISUSED THE CITY'S POWERS, HAS  
DISGRACED THE OFFICE OF MAYOR AND THE PUBLIC TRUST,  
TO-WIT:**

1. By engaging in a scheme to increase operating revenues of the municipality by establishing an automobile "speed trap," ostensibly for legitimate purposes of public safety, but in reality for the generation of revenues, increasing the city's "take" from citizens from approximately \$12,000.00 per year to an initially projected figure of between \$400,000.00 and \$800,000.00 per year. Coopertown has no tax on real property. Copies of various newspaper articles concerning the speed trap issue are attached hereto as Collective Exhibit B. This conduct violates the underlying basis of the police power to establish wholesome and reasonable laws, and fosters public disrespect for the law and mistrust of

law enforcement. The National Motorists Association called Coopertown, "One of the most blatant examples of speed traps," in the country.

2. By instructing the Coopertown Police to engage in profiling soldiers of the United States Armed Services who might be ticketed for speeding offenses because the Defendant Crosby believed that these individuals would tend to mail in their fines rather to come to Court to contest the citations. This conduct violates the civil rights of the members of the American military, and hence the civil rights of all Americans.
3. By fostering an atmosphere of racial intolerance, frequently referring to black persons as "n \_ \_ \_ \_ s," and by displaying this anti-black prejudice to police officers. On one occasion, after swearing in a new officer on Martin Luther King Day, Defendant Crosby said to the new officer, "Happy James Earl Ray Day."
4. By instructing the Coopertown Police to engage in racial profiling of Hispanic individuals, who might be ticketed for speeding offenses, because Defendant Crosby believed that these individuals are "mostly illegal anyway" and would tend to mail in their fines rather to come to Court to contest the citations.

Defendant also encouraged giving multiple citations to Hispanics, stating "We can give them all the tickets we want." This conduct violates the civil rights of the Hispanic community, and hence the civil rights of all Americans.

5. By instructing Coopertown Police to ticket "out of towners" on the interstate, because "they pay." This conduct violates the Civil Rights of such persons and hence the Civil Rights of all Americans.
6. By instructing the Coopertown Police to conduct the unlawful arrest of Glenda Slawson, a citizen of Coopertown, and a critic of the Mayor, for driving under the influence of alcohol, even to the extent of planting a liquor bottle in this individual's automobile, thereby fabricating evidence to corroborate the unlawful arrest.

As to this individual, Defendant Crosby has told the Coopertown Police, "She operates a lemonade stand in her yard and gives blow jobs." Defendant Crosby stated that he would like to put a taser in each of her ears and give her his "green Georgia donkey dick." Defendant Crosby instructed Coopertown Police to "get her for anything," and by instructing Coopertown Police to arrest John Wilson, a citizen of Coopertown, whose house and vehicles Defendant Crosby pointed out to police about 2:30 in the morning, telling police to "get Wilson for something." Probable cause was not required.

7. By instructing Coopertown Police to patrol Battle Creek Road and Martin's Chapel Road looking for former Mayor Herman Davis, who Defendant Crosby claimed "would drive home drunk." Defendant Crosby dislikes Davis and other black people saying, "everyone should own one." Defendant Crosby has referred to blacks driving with loud music as "those goddamn jungle-bunnies bumping their bugaboo music."

8. By instructing Coopertown Police to target City Alderman Scott and try to arrest him for drunk driving, and by having police officers drive around to houses of people Defendant Crosby simply didn't like.
9. By causing a citizen of Davidson County, who had sent his valid check to City Hall for the payment of a speeding fine, with the notation on the check "for speed trap" to be told that he could not pay the citation with that check, but would have to appear in open Court in Coopertown because of the "speed trap" notation on the check. The Defendant Crosby finally accepted the check on behalf of the City, but not until intense media attention was focused upon this incident of misuse of official power. Defendant Crosby's response to the public attention generated by this episode was to allege that the Davidson County citizen who had been ticketed must be a homosexual. In Defendant Crosby's words, "That f\_\_\_\_ g faggot thinks I'm doing this to him because he's gay. F\_\_\_ k that f\_\_\_\_\_ g faggot." Copies of Tennessean newspaper articles concerning the matter are attached as Exhibit C.
10. By openly and repeatedly violating the State Public Meetings Law, or "Sunshine Law," by meeting and conferring privately with Aldermen Jack Long, Jr. and Donnie Gill concerning the public business and by deciding what positions to take and how to vote prior to the actual assemblage of the meetings of Board of Mayor and Aldermen.
11. By repeatedly stating, "The TCA doesn't matter. I am the Mayor" and "I'm going to run this City like I run my business."

Specifically, this comment has been made when there was discussion of the lack of publication of ordinances in a newspaper of general circulation. The effect of this lack of publication has been that Defendant Crosby has ignored the dictates of Tenn. Code Ann. 6-2-101 Publication of Ordinances, to the end that certain ordinances passed by the Board of Mayor and Aldermen are invalid. This failure is a basic due process violation which prevents fair and constitutional notice of the existence of ordinances so that citizens might conform their conduct to the dictates thereof. Defendant Crosby unilaterally lowered speed limits without lawful authority because of failure to legally pass and publish an ordinance to permit same. Hence, the city's "take" from hapless motorists can be said to be nothing more than a shakedown. Concerning the American Automobile Association's (AAA) potential labeling of Coopertown as a "Strict Enforcement Area." Defendant Crosby stated in the February 3, 2006, Robertson County Times, "Nobody tells me how to run my town. AAA is going to have to run AAA. I'm going to run Coopertown."

- 12.(a) By violating the Child Labor Laws of the State of Tennessee. Specifically, Defendant Crosby's underage employee, Ryan Patrick Hyde, Crosby's stepson, Trip Miller and Alderman Long's son, Timothy Allen Long, also a minor, were employed by the City of Coopertown mowing grass and illegally driving a city truck, which was involved in an injury accident. This accident occurred on or about June 17, 2005, and resulted

in citations to the City of Coopertown for violations of Tenn. Code Ann. 50-5-106, 50-5-111, 50-5-105(d), 50-5-115 and 50-5-105(b)(1). Each of these violations constitutes a Class A misdemeanor.

- (b) As a result of these charges, the State Director of Labor Standards, Mary Ellen Grace, became involved with the case. The Labor Standards Division of the Department of Labor and Workforce Development for the State of Tennessee brought charges in an administrative forum resulting in an assessment against the city of Coopertown in the amount of Four Thousand Five Hundred Dollars (\$4,500.00). This was later reduced to One Thousand Five Hundred Dollars (\$1,500.00) in an administrative appeal, and has been paid by Defendant, personally.
- (c) Defendant Crosby, incensed over the lawful actions of the Department of Labor, told the Coopertown Police that Mary Ellen Grace, [who is Caucasian] “was a dumb ass n \_ \_ \_ \_ r bitch who needed to go back to the cotton fields,” and that he, “was going to have her job, and was going to call her boss and his friend, Phil, the Governor.”
- (d) Defendant Crosby further stated that if the police saw any of the inspectors from the Department of Labor, “in his town again [to] give them a citation or put their ass in the Robertson County Jail.” Defendant Crosby contacted numerous state offices loudly complaining about Ms. Grace and attempting to get her fired for merely doing her job. Defendant Crosby and Alderman Long committed numerous Class A misdemeanors by illegally employing these minors, and Defendant Crosby as Mayor

engaged in outrageous conduct as it pertains to Mary Ellen Grace, a career employee of the State of Tennessee.

- (e) The pickup truck, which was totaled in the accident involving the two (2) minors, was replaced by action of Defendant Crosby without engaging in the competitive bidding process and without prior approval from the Board of Mayor and Aldermen.
  - (f) Defendant Crosby told one the labor inspectors that he had, "a pretty good idea," who the anonymous informant was who had reported the Labor Law violation to the State, and Defendant Crosby later actually wrote a letter to the Department of Labor requesting a copy of the Complaint in an effort to identify this informant. There could be no legitimate reason for seeking this information other than for the purpose of some sort of intimidation of this person.
13. By attempting to get a Coopertown Police report concerning suspected domestic abuse of Defendant Crosby's wife to "disappear" from official records and attempting to have any entry concerning this in the TIBERS computer data base erased.
  14. By instructing Coopertown Police that when motorists who had been stopped produced one of the Defendant Crosby's cards with his initials on the back to let those motorists go.
  15. By instructing a Coopertown Police Office to keep quiet about another officer who had failed a psychological exam because, "He is my [Mayor's] star ticket writer."



16. By acting in a fiscally irresponsible manner:
- Proposing the town's budget through traffic citations and spending as if that money was assured;
  - Allowing five (5) major defects to occur in the town's financial records as found during the town's 2005 annual audit;
  - Overspending budget items without making budget adjustment in a timely fashion as required;
  - By failing to provide accurate and timely financial reports.

#### THREATS AND INTIMIDATION

Defendant Crosby has engaged in outright threatening and intimidating behavior inflicted upon numerous individuals including:

- (a) Robert Green concerning a trailer he was repairing. Defendant Crosby threatened Green with "a five hundred dollar fine" if Green didn't move the trailer;
- (b) Steve Mitchell concerning some target practice he was doing in the woods behind the home of Richard (Dickie) Thompson. Mitchell was told by Defendant Crosby to get his, "punk ass out of there. There's not going to be any shooting in this town except by me;"
- (c) Jeff Alsup, the owner of a pumpkin farm, over a business license;
- (d) Sidney Wair, a teenager who mows lawns, over a business license. The Mayor personally "confiscated," this young man's business signs. Defendant Crosby told this young man "When you get a business license

you can have your signs back. If I see you mowing lawns you will be fined;"

- (e) Terry Shows, a vocal critic of Defendant Crosby. Shows has a web site where he and others can post comments which Defendant Crosby doesn't like. Defendant Crosby attempted to get Shows fired from the Board of Directors of the Pleasant View Fire Department;
- (f) Gary Jaeckel, an employee of MTAS by threatening to "get Jaeckel's job," because Jaeckel had offered advice to Alderman Peggy Ruth, "behind my [Defendant Crosby's] back," and because Jaeckel had challenged the legality of Defendant Crosby's unilaterally lowering speed limits;
- (g) Alderman Terry Scott concerning the Mayor threatening to dump some surplus vehicles on Scott's property;
- (h) Aldermen Peggy Ruth and Terry Scott, concerning threats to remove them from City committees because of their criticism of the Mayor;
- (i) Citizens who have signed the Ouster Petition. Defendant Crosby has made statements that he will sue each of them for signing the Petition. Defendant Crosby actually instructed Coopertown Police to, "write these protestors tickets for protesting;"
- (j) Sam Child for passing out campaign literature, Crosby telling Childs, "You're just trash. I am going to take you out in the middle of the street and kick your ass."

- (k) Kay Morris. Defendant Crosby instructed Coopertown Police to, "hit the blue lights," every time they go past her house. Morris is a critic of Defendant Crosby;
- (l) Robert Collins. Defendant Crosby was angry with Collins over a vehicle Collins had allegedly wrecked for which Defendant Crosby had cosigned, and he directed Coopertown Police to go by his house so they could arrest him. Defendant Crosby said "I'm going to get my money back." Crosby went to Collin's house to intimidate him and would not let Collins' parents leave their driveway.
- (m) Teresa Wilkins. Defendant Crosby followed Ms. Wilkins at night after she passed him on McMahon Hollow Road to her home and parked in the end of her driveway. He then called the Coopertown Police to give her a ticket for speeding. Ms. Wilkins not realizing who her pursuer was became frightened having an unmarked pickup truck following her home and blocking her driveway.
- (n) Michael Barnett, a former Coopertown Police Officer. Defendant Crosby personally contacted Springfield City Manager Paul Nutting and Springfield Police Chief Mike Wilhoit and told them not to hire Barnett, who Defendant Crosby alleged had run out on Coopertown owing the City Seven Thousand Dollars (\$7,000.00), when in fact Barnett had received an injury in the line of duty at the Police Academy which prevented him from becoming certified as a police officer.

- (o) Don Duncan, operator of Tennessee Auto Salvage. Duncan, who for a time was a contender for the Mayor's Office and then withdrew his candidacy was notified that Defendant Crosby would not renew his business license until a fence was constructed. This action effectively would have closed the business and resulted in the loss of fifteen (15) jobs. This action was taken despite the fact that the Robertson County Board of Zoning and Appeals has granted a special exception permitting this business to operate over thirty (30) years ago.

#### **ADDITIONAL EPISODES OF MISCONDUCT**

1. In June, 2005, Defendant Crosby's step-son, Arthur "Trip" Miller, the son of Alderman Long, Jr., Timmy Long and Skyler Edmond were observed herding the Mayor's cattle on the Mayor's property using a City of Coopertown patrol car in the process.
2. Defendant Crosby purchased six (6) police patrol cars, the first three (3) without Board approval and without engaging in the competitive bidding process.
3. Defendant Crosby has permitted the City to do business with Alderman Donnie Gill, who has a printing business, and has performed services for the City, in direct violation of Tenn. Code Ann. 12-3-106.

4. Defendant Crosby has awarded the maintenance work on City vehicles and towing business also to a Crosby political supporter, Mark Gregory. This was done without engaging in the competitive bidding process.
5. Defendant Crosby caused no minutes of city meetings to be published since October, 2005, in violation of Tenn. Code Ann. 6-4-202.
6. Defendant Crosby unilaterally changes the ranks of police officers and fires them at will, stating that he needs officers to be writing more tickets to obtain sufficient funding for the City.
7. Defendant Crosby issued police commission cards signed by the Mayor, not by the Chief of Police. Cards were provided to Board members Jack Long, Jr., Donnie Gill, Terry Scott and City Recorder, Kacie Reynolds (Gregory). Defendant Crosby, however, refused to "issue" one to Alderman Ruth stating, "I am not giving that bitch one."
8. Defendant Crosby instructed the Coopertown Police to "arrest on sight" Glenda Slawson, Alderman Terry Scott, Sam Childs, Alderman Peggy Ruth, John Wilson, James (Shine) Wilson, and others, even though they had committed no crimes for which there could be a valid arrest.
9. In January, 2005, Defendant Crosby caused Richard (Dickie) Thompson to contact Glenda Slawson and tell her to, "Back off. You'll just make it hard on yourself."
10. Defendant Crosby has used his office to harass Glenda Slawson with vexatious litigation, which ultimately was dismissed in Slawson's favor. Defendant Crosby stated as to Slawson, "I hope I see her and her husband

walk away carrying their suitcases.” Most recently, Defendant Crosby has caused Slawson’s arrest for disorderly conduct.

11. Defendant Crosby directed Officer Charles Talley, a Coopertown Police Officer, to “pick her [Slawson’s] ass up and take her to jail.” This was for no legal reason. On another occasion Defendant Crosby directed another officer, Paul West, to arrest Slawson for no legal reason, and directed officers to write tickets to Slawson and her family, saying, “Get her for anything.”
12. Defendant Crosby likes to ride in the police cars and has been described by at least one officer as having, “blue light fever.”
13. Defendant Crosby ordered Coopertown Police to patrol Interstate 24 prior to concluding the necessary agreement with the State of Tennessee to legally permit this to occur.
14. Defendant Crosby ordered Coopertown Police to sit and watch Alderman Peggy Ruth’s driveway to try to, “get something on her.”
15. After Defendant Crosby fired City Clerk Crystal McCandless for, “asking too many questions,” he caused back-dated documents to be prepared to be placed in her personnel file. Ms. McCandless was fired for advising Defendant Crosby that he was spending over his limit and questioning his directives which McCandless believed were not proper.
16. Defendant Crosby fired police officer Randy Breedlove, and afterwards in an attempt to interfere in Breedlove’s affairs, went to the Nashville apartment complex where Breedlove lives and provides security services

and alleged to management there that Breedlove was, "impersonating a police officer." As a part of this event, Defendant Crosby made a complaint to Metro Police resulting in the dispatching of Metro Police cars to Breedlove's residence.

17. Defendant Crosby instructed Coopertown Police to arrest former Chief of Police Paul West for, "impersonating an officer" because West was operating a private, duly licensed security business.
18. Defendant Crosby directed City officials to not permit news media to be allowed in City meetings, using the fire code limit on the number of persons who can be in the room as the excuse, but telling officer he, "doesn't want the media in there."
19. Defendant Crosby ordered Coopertown Police to visit residences of city residents who have not returned census forms sent out by the City and, "arrest them."
20. Defendant Crosby has personally and by telephone repeatedly harassed Sonia Morphis and threatened to send police to her home for not filing out and returning a census form, and has threatened to take away the business license of another resident for not returning the form.
21. Defendant Crosby directed Coopertown Police to go on the internet using false names and falsely allege that Alderman Terry Scott was having sexual relations with Glenda Slawson, and to threaten Slawson on the internet that if she didn't leave the city alone, the real reason she left her job with the State of Tennessee "would surface."

22. Defendant Crosby has used the Office of Mayor to harass and oppress city resident Sherry Dainwood. Dainwood owned property near Defendant Crosby's property which she had declined to sell to Defendant Crosby. Defendant Crosby thereafter refused to sign a Plat of her property which had been approved by unanimous vote of the Planning Commission, and later by using an imaginary issue of low water pressure to the property as a subterfuge, Crosby further illegally interfered with Dainwood's use and enjoyment of her property. Defendant Crosby fired members of the Planning Commission over the Dainwood issue.
23. Defendant Crosby has told a Coopertown Police Officer, "They're dragging my son into this. I'll just get my gun and shoot all of them."

By these and other actions, Defendant Crosby has exhibited his unworthiness to occupy the office of Mayor:

WHEREFORE, PLAINTIFF PRAYS:

1. That process issue and be served upon the Defendant, together with a copy of this Complaint, requiring his Answer, pursuant to statute;



2. That the Defendant be notified that a hearing will be conducted pursuant to Tenn. Code Ann. 8-47-116, at which time the Court will consider his suspension from office, pending conclusion of these proceedings;
3. That after final hearing herein, the Court enter an Order ousting the Defendant from office;
4. That the costs hereof be taxed to the Defendant;
5. For such other relief as to which there may be equitable entitlement.

Respectfully,



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JOHN W. CARNEY, JR.  
District Attorney General  
502 South Main Street  
Springfield, Tennessee 37172  
(615)-382-2422

IN THE CHANCERY COURT FOR ROBERTSON COUNTY, TENNESSEE

FILED  
CLERK & MASTER ROBERTSON CO, TN

JUN 27 2006

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M  
BY KENNETH HODGENS

STATE OF TENNESSEE, Upon The )  
Relation of John W. Carney, Jr., District )  
Attorney General for the Nineteenth )  
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Plaintiff )

Vs. )  
DANNY J. CROSBY, )  
Defendant )

Docket No.: 19286

NOTICE

Danny J. Crosby is hereby notified that there will be a hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 2006 at \_\_\_\_\_ o'clock \_\_\_\_\_ m., in the Chancery Court at Springfield, at which time proof will be heard to determine whether he should be suspended from the office of Mayor of Coopertown, Tennessee, pursuant to Tenn. Code Ann. 8-47-101 et. seq.

\_\_\_\_\_  
CLERK AND MASTER