


Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office


1/17/23

Name: Jack Arnold

Office Address: 105 Spring St, Ashland City, TN 37015
(including county) Cheatham County

Office Phone: (615) 792-7500 Facsimile: (615) 792-1694

Email Address: 

Home Address: 
(including county)

Home Phone:  Cellular Phone: 

INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800-448-7970 or 615-741-2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) Review the separate instruction sheet prior to completing this document. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am an Assistant District Attorney (Criminal Prosecutor) for the 23rd Judicial District of Tennessee

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

Licensed in 2012. BPR # 031004.

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Tennessee. Active. Above number.

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

No.

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

PROFESSIONAL EXPERIENCE SINCE COMPLETION OF LEGAL EDUCATION.

Private Legal Practice. October 2012 to February 2015: Following the completion of my legal education, I initially operated a private legal practice located in Kingston Springs and Ashland City, Tennessee. I practiced in both General Sessions Courts and in Circuit Courts; I also practiced in the Middle District of Tennessee Federal Court (on one case). Half of my practice

was criminal defense, but I also handled several divorces and personal injury and tort cases. I served frequently as an appointed criminal lawyer and two or three times as a guardian ad litem (or an attorney ad litem) in both Chancery and Juvenile Courts. I also represented a local electric company in contract disputes with another contractor and handled a few other minor contract law issues. More than half of my practice was in Cheatham County. However, I also practiced in Dickson, Williamson, Davidson, Maury, Wilson, Hickman and Humphreys counties. In my capacity as a solo practitioner, I engaged in five trials (one General Sessions level bench trial defending a lawsuit and four jury trials in Circuit Court). One of the jury trials from my solo practice was a week-long civil tort trial that finally happened in 2018 (from a case filed in 2014); that trial occurred in Maury County, Tennessee. Two of my criminal defense jury trials were for felony offenses, and one was for a misdemeanor. While in solo practice, I maintained an office space in Ashland City, Tennessee and employed a single full-time employee.

ESGR Ombudsperson. March 2013 to March 2015: I worked as an Employer Support of the Guard and Reserve (ESGR) Ombudsperson. After receiving training in the relevant laws, as an ESGR Ombudsperson, my job was to mediate disputes between members of the United States military and their employers whenever these disputes related to the Uniformed Services Employment and Reemployment Rights Act. Though the work was pro bono, I was technically an unpaid volunteer employee of the Department of Defense in this job. During my time there, I only received two or three cases for mediation, but I was able successfully to mediate all of the cases I received- with the service member retaining employment or avoiding negative employment action by the employer, and the employer happy to retain a valuable employee, with a better understanding and appreciation of the challenges facing service-member employees.

Youth Director Kingston Springs United Methodist Church. June 2014 to December 2017: I was the paid Youth Director at Kingston Springs United Methodist Church, after about a year as the unpaid volunteer interim director. I was responsible for creating and teaching Wednesday evening spiritual formation programming for the church's youth from seventh through twelfth grades. I was also responsible for organizing and leading other youth activities including volunteer service work, spiritual retreats and fun group or team building type activities.

Assistant Public Defender. January 2015 to February 2015: While working as a solo practitioner of law, I also worked as a part-time employee of the 23rd Judicial District's Office of the Public Defender, during the first two months of 2015. In that capacity, I represented nearly all of the clients of the Office of the Public Defender that appeared in both General Sessions and Circuit Courts in Ashland City, Tennessee during those two months.

Assistant District Attorney. March 2015 to present: Assistant District Attorney in the 23rd Judicial District of Tennessee, prosecuting crimes in Cheatham, Dickson, Humphreys, Houston and Stewart Counties. (More particularly described at #6)

OTHER (NON-LAW, NON-MILITARY) OCCUPATIONS IN WHICH I HAVE (EVER) BEEN ENGAGED

University Instructor (Philosophy), Ohio State University. September 1996 to December 2002: I was a graduate teaching assistant and, beginning in January, 2000, an Instructor, teaching Undergraduate level Philosophy courses at Ohio State University on both the main campus in Columbus, Ohio and the Newark, Ohio branch campus. I performed these duties while completing Masters and Ph.D. level coursework in Philosophy at Ohio State University. As an Instructor, I designed, taught and graded college-level courses for 30 to 45 students. Those Courses included: Introduction to Logic, Introduction to Philosophy, Introduction to Ethics, several writing courses in social/political philosophy, and Probability and Decision Making. As a graduate teaching assistant, I taught small break-out sessions that were parts of larger lecture courses taught by a full professor, and I was responsible for the grading of all the assignments for my sections. While at Ohio State University, I worked on issues that contributed to publishing an article for which I received co-author credit with Professor Stewart Shapiro: "Where in the (World Wide) Web of Belief is the Law of Non-Contradiction?" NOUS, 2007, 41:2, 276-297.

Customer Service Manager, Wal-Mart. June 1994 to August 1996: I was a full-time Sales Associate and a Customer Service Manager at the Opelika, Alabama Wal-Mart in Opelika, Alabama, while attending Auburn University. My duties included everything from cleaning and cart-pushing to managing the registers of the entire store (including the two \$10,000.00 front-end cash drawers), scheduling cashiers and assisting security personnel with shoplifters and fraudulent returns.

Movie Theater Employee, United Artists Theaters. June 1990 to February 1994: I worked as a movie theater usher and as a member of the night-time and weekend clean-up crew for the United Artists movie theater at Gwinnett Place Mall in Snellville, Georgia.

Lab Assistant, UGA. September 1993 to February 1994: I worked as a student-assistant at the University of Georgia's Language Lab, where foreign language students would listen to native-language instruction on audio tapes in sound-insulated cubicles.

Dishwasher. Summer 1992, 1993: I worked as a dishwasher in a wing's restaurant on Pleasant Hill Rd near my childhood home in Lilburn, Georgia.

Custodian, Knight Elementary School. June 1988 to May 1990: I worked during the Summer and after school as a custodian at Knight Elementary School within walking distance of my childhood home in Lilburn, Georgia. Initially, my parents sought a special child-labor waiver for me to begin working in this capacity, because I was only 14 years-old when I started.

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

As an Assistant District Attorney for the 23rd Judicial District, my present law practice is 100% comprised of Criminal Prosecution for the State of Tennessee. Though I spend much of my time attending lower courts, I would estimate that 70% of my actual work time is spent working on cases in Circuit Court.

Initially, I was our district's DUI Grant prosecutor. As such, I prosecuted all or nearly all of the DUI-related offenses in Cheatham, Dickson and Humphreys Counties in both General Sessions and Circuit Court. Those offenses include not only Driving Under the Influence charges but Vehicular Assault and Vehicular Homicide cases and any related co-occurring charges. I also assisted with the prosecution of Vehicular Homicides in Houston County (participating, there, in two Vehicular Homicide jury trials), and I provided assistance on more serious cases in Stewart County on an as-needed basis.

Due to staffing needs, I transferred briefly, becoming a line-prosecutor in Cheatham County, Tennessee (while also being employed in some serious cases pending in Dickson County). I trained my replacement DUI grant prosecutor and assisted her with her initial jury trials (she ultimately went 8-0-1 in her first nine DUI trials). As part of my brief non-grant practice in the office, I tried several jury trials: a child-rape, the aggravated sexual battery of a child, a first-degree murder, a second degree murder and a second child rape trial that I was second chair on (not including cases that I handled through plea that did not go to trial).

Once the staffing needs changed, I requested a move back to DUI grant prosecution in Cheatham and Dickson Counties, and we were able to send our newly trained-up prosecutor to Humphreys County where, in addition to other types of cases, she now handles all of that County's DUI-related cases.

As part of my practice, I have participated (solely or as part of a team) in more than fifty trials in Circuit Court since March of 2015. More than 48 of those trials were jury trials and two of those trials were Circuit bench trials. Eleven of those trials were for Vehicular Homicides. Though four years might seem a short time, I have touched on something like 5,000 cases at both levels of court in that time (as a DUI prosecutor, I have been required to keep track of numbers), and I have engaged in the corresponding activities that go along with that: hearings on bonds and motions, sentencing hearings, pleas of guilt, etc. I have also attended numerous parole hearings, on behalf of our office, alongside the family members of victims and victims themselves. Since I have been the DUI prosecutor (counting both stints), I have dealt with forty Vehicular Homicide related fatalities from thirty-five separate incidents. Eighteen of those cases resulted in Vehicular Homicide convictions, five resulted in convictions on a lesser homicide at trial, two ended as the result of the death of the Defendant, one is in limbo, because the defendant fled to Mexico, four resulted in pleas to lesser homicides, and five are pending trial.

As another part of my prosecutorial role, I have also assisted law enforcement officers in the 23rd Judicial District with the preparation of search warrants and judicial subpoenas to obtain key evidence and to answer general legal questions and consult on charging decisions. Our officers generally know that I will assist at any time.

As an Assistant District Attorney, I also teach regular in-service training of some of the law enforcement officers inside and outside of our Judicial District, and I have taught classes to both law enforcement officers and other prosecuting attorneys (for CLE credit), by request, around the State of Tennessee, that address legal issues and trial issues associated with investigating and prosecuting criminal offenses.

Finally, in June of 2023, I was asked to be a founding member of Cheatham County Tennessee's first-ever Misdemeanor Recovery Court. Myself, General Sessions Judge Phillip Maxey, defense attorney Margaret Brady and local recovery professional (Mirror Lake) Brandy Harter began diverting qualified misdemeanor cases to our Court, immediately upon establishing it. Until last month, we had no funding and were operating, with a handful of participants, without any paid staff. Our hard work has finally paid off, and the County has offered us enough money for a full-time and a part-time position, using some of its Opioid abatement money (Cheatham County, Tennessee had the highest per capita overdose death rate of any County in the State from 2015-2019). I have always made use of treatment options and alternate Courts (frequently sending defendants to our district's felony recovery court program, for example), and look forward to expanding this aspect of my practice as a trial court judge in our district.

7. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters.

It was always my goal to use my law degree to serve the public. Prior to graduating law school and taking the bar exam, I put in applications to DA's offices and Public Defender's offices near where I lived. About the time that I was admitted to the Tennessee Bar, a friend of a friend needed a hand with an irreconcilable differences divorce, in Cheatham County. That became my first case. It was in front of Judge Robert Burch. Meanwhile, I introduced myself around the Cheatham County Courthouse. Another friend of a friend was injured in a wreck and needed someone to represent her. I began to get appointed on indigent cases. Most of the appointments were criminal appointments, both because that was the greatest need at the time in Cheatham County, but also because that was also the type of work with which I was most comfortable, having done it in Nashville (see my answer to question 9 regarding internships while in law school). I had mentors in other lawyers, but also in opposing counsel, specifically, the ADAs Robert "Bob" Wilson and Kenneth Adkins; those two men taught me that adversaries needn't always be adversarial and that one need not discard concern for a defendant's rights in order to be a good district attorney. Though they were my opponents, I carried the lessons they taught forward into my own practice as an assistant district attorney.

It wasn't long before I required office space near the courthouse and an assistant to manage

client traffic (foot and phone) while I was in court and traveling to and from different courts. I began to get a reputation for reliability and hard work, and as my reputation grew, the number and types of my appointments and cases also grew. I began to be selected by our trial court judges to represent indigent defendants in criminal matters and as guardian and attorney ad litem on cases ranging from child custody determinations to estate matters. Meanwhile, my private cases increased in number and variety. I was retained by an electric company and a bonding agency in the district, as well as by a local restaurant owner. I mediated contract disagreements and disputes for the restaurant and the electric company (actually keeping them out of court). I performed filings for the bonding company and assisted them with getting a new agent approved. In just under three years, I handled 300 to 400 cases. I tried an attempted murder, getting an acquittal on the top charge; I tried a DUI, getting an outright acquittal, and I tried a felony criminal case, with mixed results (some counts acquitted, others convicted). The exact argument employed in my motion for a new trial (that the Tennessee Pattern Instruction on evading arrest in a vehicle did not correctly track the statute elements) DID ultimately get the conviction on the highest count in that case (evading arrest in a vehicle) overturned at the court of criminal appeals.

I handled several plaintiff's-side personal injury matters: one of them against a national retailer who had my case removed to the U.S. Middle District Court, where I followed it, ultimately achieving a satisfactory resolution for my client some years later, after I had already been hired by the DA's office. I also had a malicious prosecution case that I filed against an auto-parts retailer in Maury County, Tennessee that didn't make it through depositions, mediation and trial until 2018. Though I brought on additional counsel, after I got hired by the DA's office in 2015, I participated in the week-long jury trial. I handled a handful of divorces, child-custody and estate matters, some plaintiff's-side landlord tenant disputes, powers-of-attorney, one contested conservatorship and many criminal cases. Even in my early practice, more than half of my case quantity consisted of criminal defense cases in general sessions court. That said, in terms of time commitment, I would say that half of my time was consumed by the non-criminal matters, and far more than half of my time was spent in trial courts (and it still is), rather than at general sessions courts. I also attended my first parole hearing, while in private practice, arguing for a client's release on his first out-date, and I began to attend the meetings of the 23rd Judicial District's Drug Court to argue for the admission of clients to the program whose admission was in doubt. I filed motions in criminal, civil and chancery trial courts (and in federal court).

When the Assistant Public Defender responsible for Cheatham County Circuit Court needed to take a couple of months off for surgery in 2015, I'd like to think that the reputation I had acquired at that point in time made asking me to fill in a no-brainer for the District Public Defender. Even though that position only lasted the two months that the Assistant was on leave for surgery, it opened my eyes to the hard work done by public defenders in our district. For the first time in my career, I was standing up in trial Court, not for one or two clients, but for the majority of the men and women on the docket. And for the first time in my career, nearly every defendant on the general sessions docket belonged to me. Not only was the volume greater, I also lost my ability to turn down a case, and I handled several very serious cases that I certainly would have turned down as a private practitioner.

By the time the DA's office hired me in 2015 (see my answer to question 6 for this part of a

general description of my practice), I had already appeared in trial court in all of the three largest counties of our judicial district, in front of the judges currently occupying those positions AND in front of the predecessors to two of the current judges. I had also had the opportunity to appear in front of many judges in neighboring districts in both trial courts and general sessions courts, allowing me to view numerous judges at work who displayed numerous distinct personalities and styles. I had also handled cases of virtually every type.

Becoming an assistant district attorney super-charged both the volume of my experience, the number of very serious matters that I was required to handle, and my trial experience. In fact, in my first two-and-a-half years as a district attorney, the defense bar put my skills to the test, requiring me to try more than twenty cases and to try my first two homicides, in relatively short order. Since March 2015, though, with the exception of the cases that took months and years to complete, the entirety of my experience has been in criminal cases. One area in which I have expanded my experience since becoming a criminal prosecutor is in appearing before Parole Board hearings, along with victim's families, in homicide cases that I prosecuted through plea or hearing. I have attended many parole hearings to ensure that the sentences served fit the circumstances and seriousness of the crimes for which those sentences were given.

8. Describe any matters of special note involving your practice in trial courts, appellate courts, and administrative bodies.

While many possible answers come to mind, and every case tried is a matter of special note to the litigants, a couple of matters really stick out for me. First, every type of homicide or other serious case (like a child rape) involves victims and their family members. Once I became an ADA in our district, I immediately had too many such cases. I had to make a commitment, one that I renew periodically, to do whatever I could do to NOT make the trial of the case the second worst thing that had ever happened to the victim or the victim's family. My coordinator and I have a set of rules aimed at respecting the victims that I always endeavor to follow in every such case. Some things we cannot change (the way our district is structured with only three Judges, any delay in a case's trial kicks the trial six months down the road, for example), but other things we can change- our availability after-hours and on weekends and holidays, when and how we return phone calls, etc. Sticking with our families post-sentencing, through the parole hearing process, for example, is another practice that my coordinator and I have developed that helps families achieve closure.

I have found that going the extra mile with people who are grieving the loss of a loved one or the loss of a child's innocence can really make a difference in their experience of what is an inherently terrible process.

Here's another thing from my practice that sticks out. My most difficult trial before becoming a prosecutor was a trial that never made it in front of a jury. One of my criminal clients was actually innocent of the charges against him. The feeling I had preparing for and heading towards a trial by jury in which I knew that my client hadn't committed the offense alleged was the worst feeling I've experienced since experiencing actual combat in the U.S. Army. On the morning of trial, the prosecutor dismissed the case. Had the case proceeded, it would have been my first trial.

Still, the experience of defending an innocent man has left me with two thoughts that I try to keep in the back of my mind. The first is this: the worst possible outcome in a criminal matter is the conviction of an innocent person. It is problematic when a guilty person is unpunished, but the conviction of an innocent person is a disaster. Criminal practitioners must keep an open mind to the possibility of actual innocence, especially prosecutors. Second, what it means to me that criminal defendants are innocent until proven guilty goes beyond the mere form of those words: a defendant should be treated with the same respect and dignity that the defendant would be entitled to if he or she hadn't done anything wrong, until he or she is found to be guilty by a jury. When I am speaking with a pro se defendant about the settlement of his or her case, I keep these thoughts in my mind.

In spite of this, I twice convicted an innocent man, by plea, as a prosecutor. (After this occurred, I adopted procedures to prevent its re-occurrence.) This is the third matter that sticks out to me from my practice. I received a call from a misdemeanor probation officer regarding a probationer who had broken down, becoming unable to continue making meetings with the officer, paying costs and really satisfying any of the terms of his probation. She gave me his name, and told me, "Jack, it's my inclination to violate him, but I believe that he is actually insane, and I'm just trying to figure out what to do." I had convicted him on two DUI 1st Offenses. At that time, our courts were not online. Having experience, in our district, with people who appeared to be insane but were actually on methamphetamines, I asked her for the man's name, so I could check the TBI blood analysis database for the man's intoxicants at the time of his arrest.

She gave me the name, and I looked up the results. In both cases, the blood sample that the man gave us had no intoxicants in it, according to the TBI. I told the probation officer what I found and told her to NOT issue a violation. I explained that I was going to have to get in touch with the Judge and the Clerk and undo his convictions. Through investigating the Court documents, it became clear that he had been represented on both DUIs by a single member of the public defender's office, and that at the time of the representation, he couldn't make bond on the second of the two cases. He pled to the cases concurrently, in order to get out of jail on the day of the plea. The plea occurred some months before the blood could be analyzed for its content.

I got together with the judge and the clerk, and we saw to it that his convictions were undone, his money was refunded and even that the arrests were expunged. As part of my investigation, I reviewed the stop tapes; his insanity was so severe that he really did appear to be intoxicated by drugs on the videos. As I said above, this had a dramatic impact on the way that I handle

cases as a prosecutor, whether the defendant is represented or not.

Finally, the change from private practitioner to district attorney is a dramatic one. When I had the innocent man falsely charged with a crime, as his defense attorney, all I could do was beg the prosecutor not to risk convicting him. The prosecutor had absolute authority to dismiss the case. I haven't forgotten that helplessness. A criminal prosecutor has the power in 95% of his work interactions, whether those interactions are with pro se defendants or defense attorneys (the only exception, really, is in interactions with a judge). Recognizing this, I have always endeavored to mitigate this power-differential by how I approach my interactions. Really, I learned this from the way I was treated by some of the prosecutors who went before me and displayed humility. It is imperative that I listen to what people are saying, that I be receptive to receiving information that might indicate innocence, and that I never approach an interaction with a victim, a victim's family, a defendant or a defense attorney with an air of superiority or the attitude of a hard-sell.

9. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

While in law school, I was employed as a legal intern with the Office of the District Attorney General, Metropolitan Nashville from May, 2010 until July of 2010, and again, under a limited, supervised admission to practice from May, 2011 to November, 2011. During the second time-period, my over-all supervisor was ADA General Rosemary Sexton, and I handled cases at General Sessions Court, as if I were an attorney, under supervision. I conducted bench trials for misdemeanor criminal offenses and preliminary hearings for felony offenses. I made plea offers, I observed criminal trials and procedures. I interviewed witnesses and victims, and I investigated facts for use in criminal trials.

Also, while in law school, I interned with the Bureau of Tobacco, Firearms and Explosives in Brentwood, TN, from August, 2010 until May, 2011, under the supervision of that branch's General Counsel Patricia Lancaster. I researched and briefed matters relevant to ongoing Agency hearings, Federal District Court proceedings and Circuit Court of Appeals hearings for the Sixth and Eleventh Circuits.

10. List and describe all prior occasions on which you have submitted an application for any state or federal judicial position.

This is the first time that I have submitted an application for a judicial position.

EDUCATION

11. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other

aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

September, 1992 to March, 1994- UNIVERSITY OF GEORGIA, Athens, Georgia, Major: German. Awards and Activities: Governor's Scholarship recipient, National Merit Scholar. Degree: no degree awarded (transferred to Auburn University in Auburn, AL).

March, 1994 to June, 1996- AUBURN UNIVERSITY, Auburn, Alabama (4.000), Majors (Double Major): Philosophy, Religion. Awards and Activities: Honor Scholarship Recipient, Honor Roll All Quarters, National Merit Scholarship, graduate *Summa cum Laude*. Degree: Bachelors of Arts Philosophy, Religion.

September, 1996 to December, 2002- OHIO STATE UNIVERSITY, Columbus, Ohio (3.700), Major: Philosophy. Awards and Activities: Worthington United Methodist Church - Young Adult Education Program director, High School Youth Program Chaperone, Confirmation mentor; Columbus Reads reading tutor. Degree: Masters of Arts, Philosophy (December, 1999), left prior to completion of Ph.D. to enlist in the United States Army.

April, 2003 to November, 2004- DEFENSE LANGUAGE INSTITUTE, FOREIGN LANGUAGE CENTER, Monterey, California, Major: Modern Standard Arabic- Basic Course. Awards and Activities: Commandant's Award Recipient, Military Outstanding Volunteer Service Medal, Army Achievement Medal, Joint Services Color Guard.

August, 2009 to May, 2012- VANDERBILT UNIVERSITY LAW SCHOOL, Nashville, Tennessee (3.402), Major: Law. Awards and Activities: Richard Nagareda Best Oralist Award, Moot Court Competition 2010-2011; Cal Turner Fellowship for Moral Leadership in the Professions 2010-2011; Lightfoot Franklin & White Award for Best Oralist 2009-2010; Vanderbilt Scholastic Excellence Award for Regulatory State; Moot Court Board 2011-2012; Mock Trial Octo-finalist 2009-2010; Pro Bono Service Award 2010, 2011 2012; Pro Bono Service Pledge completion class of 2012; President, The List Project at Vanderbilt 2010-2011; Co-president, Law Students for Veterans' Affairs 2010-2011. Degree: Doctor of Jurisprudence.

PERSONAL INFORMATION

12. State your date of birth.

[REDACTED]

13. How long have you lived continuously in the State of Tennessee?

Since I was discharged from the active duty U.S. Army on May 7, 2009. Fifteen years.

14. How long have you lived continuously in the county where you are now living?

Since May 7, 2009. Fifteen years.

15. State the county in which you are registered to vote.

Cheatham County.

16. Describe your military service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

After the September 11 terrorist attacks, I enlisted in the United States Army. While I entered into the delayed entry program in October, 2002, my active duty service began with Basic Combat Training at Ft Jackson, South Carolina on February 25, 2003.

After basic, I attended the Basic Modern Standard Arabic course at the Defense Language Institute Foreign Language Center in Monterey, California. I completed that course, which taught me to read, write and speak Modern Standard Arabic with a high degree of proficiency, in November, 2004. While there, I received the Commandant's Award (top graduate from a total of 192 students studying multiple different languages, graduating at the same time) and the Military Outstanding Volunteer Service Medal for volunteering time both as a tutor for other Arabic students and as a member of the DLIFLC Joint-Services Color Guard.

Following DLIFLC, I went to Goodfellow Airforce base in San Angelo, Texas, where I was trained as a cryptologic analyst and Signals Intelligence professional. In March of 2005, I went to the First Brigade of the 10th Mountain Division (Light Infantry). Almost immediately upon arrival, I was sent to Air Assault school, where I earned my Air Assault Badge. From August 2005 until August 2006, I deployed with the First Brigade Combat Team of the 10th Mountain Division to Baghdad, Iraq (specifically Baghdad West of the Tigris and North of the Euphrates valley, out past Abu Ghraib prison in the West). While there, I worked as an Arabic-speaking Signals Intelligence analyst and also served as the driver of a four-man mission team that accompanied maneuver units in the field on missions to kill or capture high value targets (often the very targets whose location was known as the result of our analysis). Our team was credited with capturing more insurgent targets than any other team of its type operating in the 4th Infantry Division area of operations (greater Baghdad, Iraq).

I returned to Ft. Drum, New York (home of the 10th Mountain Division) at the end of the deployment, where I continued to train with my unit. (In August of 2007, just prior to another scheduled deployment of my Brigade, my wife and I bought our house in Kingston Springs, Tennessee (and she moved there).) Because of a lingering intestinal ailment from the prior deployment, it was decided, at the last minute, that I would not accompany my Brigade on its fifteen month deployment to Kirkuk, Iraq in August of 2007. Instead, I was to provide direct 24-7

Signals Intelligence analysis and support to my Brigade from a Sensitive Compartmented Information Facility (SCIF) located in the United States. During that deployment, my analysis and the analysis of my team-mates forward was credited with contributing to the killing and capture of more than 24 high-level insurgents and dozens of lower-level insurgents in and around Kirkuk, Iraq. I was retained for some time, after my unit's return, to help train other SIGINT personnel in counter-insurgency analysis and missions for deployments to Iraq and Afghanistan and to assist in creating a blue-print for additional successful SCIF-based direct-support missions and training.

In addition to the DLIFLC Modern Standard Arabic Course, the Cryptologic Linguist Course and Air Assault School, and hundreds of hours of Army training, I also completed a Combat Life Saver's Course and the Warrior Leadership Course, while in the United States Army.

I received the following medals (in addition to the recognitions already described):

Iraq Campaign Medal (with two stars), Army Commendation Medal, Army Achievement Medal (4 times), Army Good Conduct Medal (2 times), National Defense Service Medal, Global War on Terrorism Service Medal, Non-Commissioned officer professional Development Ribbon, Army Service Ribbon, Overseas Service Ribbon, Military Outstanding Volunteer Service Medal.

I also held a Department of Defense Top Secret Security Clearance with a Counter-Intelligence Polygraph examination and various SIGINT caveats from February 2005 until February 2010, and my Secret Security Clearance (technically) would not have expired until February, 2015.

I remained in the Active Duty United States Army until my separation (for completion of service, following an extended stop-loss period) on May 7, 2009. I left the Army at the rank of Sergeant (E5). I was honorably discharged. (My Reserve obligation termination date was October 27, 2010.)

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

No.

18. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

No.

19. Please identify the number of formal complaints you have responded to that were filed against you with any supervisory authority, including but not limited to a court, a board of

professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

Zero.

20. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No.

21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

No.

22. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

No.

23. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

23rd Judicial District Drug Court- Member of the Board, volunteer (2021-present).

Ark Community Resource Assistance Center- Member of the Board, volunteer (2022-present).

Tennessee Run for the Fallen- Run Organizer, volunteer (2022-present).

Honor and Remember- Tennessee Chapter Director, volunteer (2024-present).

Kingston Springs United Methodist Church- FUEL (Full of Emmaus Love) Program Coordinator 2011-present, Staff Parish Resources Committee Member 2014, Choir 2019-present, volunteer.

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.
- a. If so, list such organizations and describe the basis of the membership limitation.
 - b. If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

No.

ACHIEVEMENTS

25. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

American Bar Association- Member May 2013- August 2016.

Tennessee Bar Association- Member November 2012- June 2015.

Tennessee Association of Recovery Court Professionals- Member July 2023- present.

Cheatham County Bar Association- Member 2013-2021.

National District Attorney Generals Association- Member 2017-2018, 2023-present.

Tennessee Lawyers Assistance Program- Mentor 2018-2022. (I provided mentor services to several pre-bar admission TLAP participants during the time that I participated.)

The Way- Faith-Based Community Center- Member of the Board 2012-2015, volunteer. After-school tutor 2012-2015, volunteer.

26. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional

accomplishments.

In 2017, I was recognized by the Tennessee District Attorney General's Conference as the DUI Prosecutor of the year. In 2017, I also received an Award for Excellence from Mothers Against Drunk Driving.

27. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

I was a candidate for Trial Court Judge in the 23rd Judicial District of Tennessee in 2014 (Division III); that position is elective. I was a candidate for the U.S. House of Representatives for Tennessee in 2012; that position is elective.

ESSAYS/PERSONAL STATEMENTS

28. What are your reasons for seeking this position? *(150 words or less)*

Less a seeking, more a calling, I want to serve the citizens of my district and relieve the pressure on our dockets in the 23rd Judicial District. Building on the foundation of logic and reason gained studying and teaching Philosophy and analysis and problem-solving honed serving in the U.S. Army, I am called to dedicate my innate passion, energy, steady demeanor and tireless effort serving my district's need for a new judge.

My passion and effort recently aided me in helping to establish our district's first misdemeanor-only recovery court, and though the Cheatham County Recovery Court will forever stand among the crowing achievements of my public service career, I confess that my professional dream is presiding over our district's felony Drug Court. By appointing me judge, you would allow me a supporting role in the life-long rehabilitation of even more of our district's citizens than possible in my current position.

29. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*

The District contains Cheatham, Dickson, Humphreys, Houston and Stewart Counties, with three Circuit Judges, each responsible for three trial courts in each County: Criminal Circuit, Civil Circuit and Chancery. I would anticipate, initially, being assigned by the sitting Judges to the Civil Circuit and Chancery dockets in Cheatham, Dickson and Humphreys Counties and to all three dockets in Stewart and Houston Counties. This would immediately free the sitting Judges for extra trial and docket days on many of the back-logged serious criminal cases in Cheatham, Dickson and Humphreys Counties and would allow them more office time to better expedite rulings on pending motions in Criminal, Civil and Chancery cases that they have not had adequate office time to complete. After a relatively brief time, I would anticipate working on the entire Circuit docket, along with the other Judges, dramatically improving case-

completion time in all of our trial Courts.

30. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. (250 words or less)

Yes, I will always follow the law. Early in my tenure at the DA's office, I was prosecuting a simple DUI case in the city of Dickson. An outstanding officer had stopped a car for weaving on the road, late at night, suspecting the driver of DUI. There was no other reason for the stop. The driver was unquestionably drunk, as confirmed by his BAC. At the preliminary hearing, the officer testified that, while the driver traveled laterally from fog line to center line and back, touching each, he never crossed over either line before the officer initiated his blue lights, seizing the vehicle. The General Sessions Court Judge found probable cause and bound the case over to the next term of the grand jury. The recent case law from the Court of Criminal Appeals on this issue (that I did not agree with) was clear: merely touching lines and not crossing them did not give reasonable suspicion of impairment; the stop was a seizure in violation of the U.S. Constitution and the Tennessee Constitution, so the stop should be suppressed. My duty was clear. I did not present the case to the next term of the Dickson County grand jury and I submitted a Nolle Prosequi Order to the Circuit Court Judge, dismissing the case. Many times, I have dismissed cases due to an application of the exclusionary rule and the 4th Amendment (even when a defendant is unrepresented), regardless of my feelings, because the law requires it.

REFERENCES

31. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A. Suzanne M. Lockert-Mash, Judge Div III, 23rd JD, [REDACTED]

B. Larry Wallace, Judge Div II, 23rd JD, [REDACTED]

C. David D. Wolfe, Judge Div I, 23rd JD, [REDACTED]

D. Doug Beecham, 23rd JD Drug Court Coordinator, [REDACTED]

E. Millie Irvin Webb, (former) MADD President, [REDACTED]

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the [Court] Circuit Court, 23rd Judicial District of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: 10 June, 2024.



Signature

When completed, return this questionnaire to John Jefferson at the Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



**TENNESSEE TRIAL COURT VACANCY COMMISSION
ADMINISTRATIVE OFFICE OF THE COURTS**

511 UNION STREET, SUITE 600
NASHVILLE CITY CENTER
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY
TENNESSEE BOARD OF JUDICIAL CONDUCT
AND OTHER LICENSING BOARDS**

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

Jack Arnold

Type or Print Name

Jack Arnold

Signature

10 June 2024

Date

031004

BPR #

Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.
