

RESOLUTION NO. RS2019-1544

A resolution requesting that Governor Bill Haslam grant clemency to Cyntoia Brown.

WHEREAS, Cyntoia Brown was born Cyntoia Denise Mitchell on January 29, 1988. Her mother drank alcohol during the pregnancy, potentially resulting in fetal alcohol spectrum disorder, and the identity of her father was never established; and

WHEREAS, following Brown's birth, her mother began using crack cocaine. Unable to properly care for her daughter, she gave Brown up for adoption to Ellenette Brown (later known as Ellenette Washington); and

WHEREAS, at age 16, Cyntoia Brown ran away from her adoptive home and began associating with a 24-year-old man named Garion McGlothen, also known as Cut-Throat, who eventually forced Brown into a life of prostitution and sex-trafficking; and

WHEREAS, Brown and McGlothen were homeless and impoverished until they moved into an extended-stay hotel, during which McGlothen repeatedly raped, beat, and threatened Brown -- all while she financially supported him through involuntary prostitution; and

WHEREAS, on August 6, 2004, a 43-year-old real estate broker named Johnny Mitchell Allen met Brown, only 16 years old, in the parking lot of a Sonic Drive-In on Murfreesboro Road – an area known for prostitution solicitation; and

WHEREAS, Mr. Allen drove Brown back to his home after she agreed to engage in sexual activity for \$150.00. At some point during the evening, Brown shot and killed Allen and stole his vehicle, \$172.00 in cash, and several firearms; and

WHEREAS, Brown was subsequently apprehended, arrested, and charged with multiple counts of murder and aggravated robbery. At age 16, she was nevertheless tried as an adult, convicted of murder, and sentenced to 51 years to life in prison. She is currently incarcerated in the Tennessee Prison for Women, a maximum security detention facility, where she is scheduled to remain until eligible for parole at age 67; and

WHEREAS, the circumstances of Brown's conviction, with seemingly little consideration given to the horrors of her childhood and the repeated sexual abuse she endured, including by Mr. Allen himself, have prompted scrutiny of the propriety of her life sentence. Pleas for clemency have arisen from members of the legal community, the public at large, and several celebrities. Brown's plight has even attracted the interests of filmmakers who produced a documentary entitled *Me Facing Life: Cyntoia's Story*; and

WHEREAS, at trial, Brown was originally sentenced under conflicting state sentencing laws subsequently deemed confusing and contradictory by the Sixth Circuit Court of Appeals, prompting the Court to ask Tennessee's Supreme Court to clarify the contradictory provisions – further clouding the propriety of Brown's original sentence; and

WHEREAS, in May of 2018, the Tennessee Board of Parole offered a split decision regarding Brown's application for clemency, with two members recommending clemency, two recommending denial of clemency, and two member recommending a reduced sentence; and

WHEREAS, as Governor Bill Haslam concludes his Gubernatorial administration, the circumstances of Brown's conviction and sentencing, set against a lifetime of impoverishment and abuse, warrant a grant of clemency — an act of benevolence Governor Haslam has granted to multiple other individuals.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan County Council hereby goes on record as respectfully requesting that Governor Bill Haslam grant clemency to Cyntoia Brown.

Section 2. That the Metropolitan Clerk is hereby directed to send a copy of this Resolution to Governor Bill Haslam.

Section 3. That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jacobia Dowell
Member of Council